



**NATIONAL MARINE  
SANCTUARIES**

Hawaiian Islands Humpback Whale  
National Marine Sanctuary  
Management Plan

DRAFT  
February 2002

U.S. Department of Commerce  
National Oceanic and Atmospheric Administration  
National Ocean Service  
National Marine Sanctuary Program





## About this Document

This document is the revised management plan for the Hawaiian Islands Humpback Whale National Marine Sanctuary. This plan will serve as the primary management document of the Sanctuary for the next five years.

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## Executive Summary



### Current Status

This document is the revised management plan for the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS), resulting from a recent five-year review of the Sanctuary since the implementation of its final regulations in 1997. This plan has been prepared by the National Oceanic and Atmospheric Administration (NOAA), in cooperation with the State of Hawai'i, and will serve as the primary management document of the Sanctuary for the next five years.

### History

The Hawaiian Islands Humpback Whale National Marine Sanctuary was Congressionally designated by the Hawaiian Islands National Marine Sanctuary Act (HINMSA) on November 4, 1992 (Subtitle C of Public Law 102-587, the Oceans Act of 1992). On Friday, March 28, 1997, the final regulations were published in the *Federal Register* (62 FR 14799), and they and the final management plan became effective on June 2, 1997.

At the time of designation, NOAA made a commitment to the State of Hawai'i that five years after the management plan and regulations had become effective, NOAA, in consultation with the State of Hawai'i, would evaluate the progress made toward implementing the management plan, regulations, and goals for the Sanctuary. NOAA also agreed that after the evaluation was complete, NOAA would then resubmit the management plan and regulations in their entirety, as far as they effect State waters, to the Governor for his approval. This revised management plan is the result of the five-year evaluation and will be submitted to the Governor.

### Original Management Plan

The specified requirements of the Sanctuary's original management plan were compatible with the overall Sanctuary management concept embodied in the NMSA, and its implementing regulations (15 CFR Part 922), which require that a management plan be prepared for each national marine sanctuary. The HINMSA required NOAA to comply with the NMSA in developing the management plan and implementing regulations.

The original management plan defined actions tailored to specific issues affecting the Sanctuary. The plan recognized the need for facilitating human uses of the Sanctuary compatible with the primary purpose of protecting humpback whales and their habitat. Successful implementation of the original management plan required continuing cooperation and coordination among many Federal, State, and county agencies and representatives, as well as private organizations and individuals.

The original management plan was designed to provide guidance for management of the Sanctuary for the first five years of its operation. During this period, management initiatives generally fell into five fundamental program areas: resource protection, research and long-term monitoring, education and outreach, administration, and enforcement. In general, the management plan:





- focused on Sanctuary goals and objectives, management responsibilities, and guidelines for the resource protection, research, education, and administration programs of the Sanctuary; and
- established an administrative framework which addresses the need for cooperative and coordinating programs and activities with other Federal and State agencies, as well as private organizations and interested citizens to ensure effective management of the Sanctuary.

## Revised Management Plan

In reviewing the original management plan in preparation for the five-year review by the NMSP and the State of Hawai'i, it became clear that although a completely rewritten management plan was not necessary, some restructuring and revising of the document would be beneficial to the Sanctuary. First, the Sanctuary has accomplished many of the tasks listed in the original management plan. Second, the goals and objectives originally outlined needed to be revised to reflect the current and future direction of the Sanctuary, and the recent amendment of the NMSA. Finally, the structure of the original management plan did not follow the formats developed in the last three years for ongoing management plan reviews at other Sanctuaries. Consequently, the NMSP and the State of Hawai'i decided to revise certain parts of the original management plan and reformat the document during the five-year review.

The revised management plan was written to support the Sanctuary's revised vision statement:

The Sanctuary works collaboratively to sustain a safe and healthy habitat for the North Pacific stock of humpback whales (*koholā*). As a community of ocean stewards, the Sanctuary strives to achieve a balance of appropriate uses, inspired care-taking, enlightened understanding, and effective education to ensure the continued presence of the *koholā* for future generations. The Sanctuary endeavors to do this with harmony, hope, respect, and *aloha o ke kai* (love of the sea).

The revised management plan does not include any regulatory or boundary changes.

## Action Plans

Five action plans are contained in this revised management plan:

- Natural Resource Protection
- Education and Outreach
- Research and Monitoring
- Cultural Resources Enhancement
- Administration

Table 1 summarizes the strategies and activities in each action plan.



Table 1: Summary of Action Plan Strategies

Action Plan	Strategies
Natural Resource Protection	<p>NRP-1: Assess and clarify the Sanctuary's role in contingency planning, emergency response, and damage assessment activities.</p> <p>NRP-2: Enhance project and permit review procedures.</p> <p>NRP-3: Obtain and share relevant information on Sanctuary uses, use policies, and regulations.</p> <p>NRP-4: Reduce violations of Sanctuary regulations.</p> <p>NRP-5: Develop and implement a process that identifies and evaluates resources for possible inclusion in the Sanctuary.</p>
Education and Outreach	<p>EO-1: Assess, enhance, and implement existing education and outreach programs.</p> <p>EO-2: Develop and implement additional education and outreach programs.</p> <p>EO-3: Support current functions and activities of the Sanctuary's volunteer program.</p> <p>EO-4: Provide additional opportunities for volunteer participation in Sanctuary activities and events.</p>
Research and Monitoring	<p>RM-1: Characterize and monitor the central North Pacific stock of humpback whales.</p> <p>RM-2: Characterize and monitor the habitat of humpback whales and other natural and anthropogenic factors affecting humpback whales.</p> <p>RM-3: Improve the administration of research projects.</p> <p>RM-4: Enhance communications among researchers, between researchers and resource managers, and between researchers and the general public.</p>
Cultural Resource Enhancement	<p>CRE-1: Conduct and facilitate Native Hawaiian events and traditions.</p> <p>CRE-2: Nurture increased public awareness and appreciation of traditional Hawaiian values and practices related to ocean use.</p>
Administration	<p>AD-1: Continue and enhance Federal-state co-management of the Sanctuary.</p> <p>AD-2: Establish agreements for coordination among agencies and organizations relevant to Sanctuary management to better protect humpback whales and their habitat.</p> <p>AD-3: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.</p> <p>AD-4: Enhance the staffing and personnel resources of the Sanctuary.</p> <p>AD-5: Augment the physical infrastructure of the Sanctuary.</p>





## Introduction

### History

The Hawaiian Islands Humpback Whale National Marine Sanctuary (Figure 1) was Congressionally designated by the Hawaiian Islands National Marine Sanctuary Act (HINMSA) on November 4, 1992 (Subtitle C of Public Law 102-587, the Oceans Act of 1992).

At the time of designation, the National Oceanic and Atmospheric Administration (NOAA) made a commitment to the State of Hawai'i that five years after the management plan and regulations had become effective (June 1997), NOAA, in consultation with the State of Hawai'i, would evaluate the progress made toward implementing the management plan, regulations, and goals for the Sanctuary. NOAA also agreed that after the evaluation was complete, NOAA would then resubmit the management plan and regulations in their entirety, as far as they effect State waters, to the Governor for his approval. This revised management plan is the result of the five-year evaluation and has been submitted to the Governor.

### Sanctuary Purposes

Section 2304 of the HINMSA establishes the Sanctuary's purposes as follows:

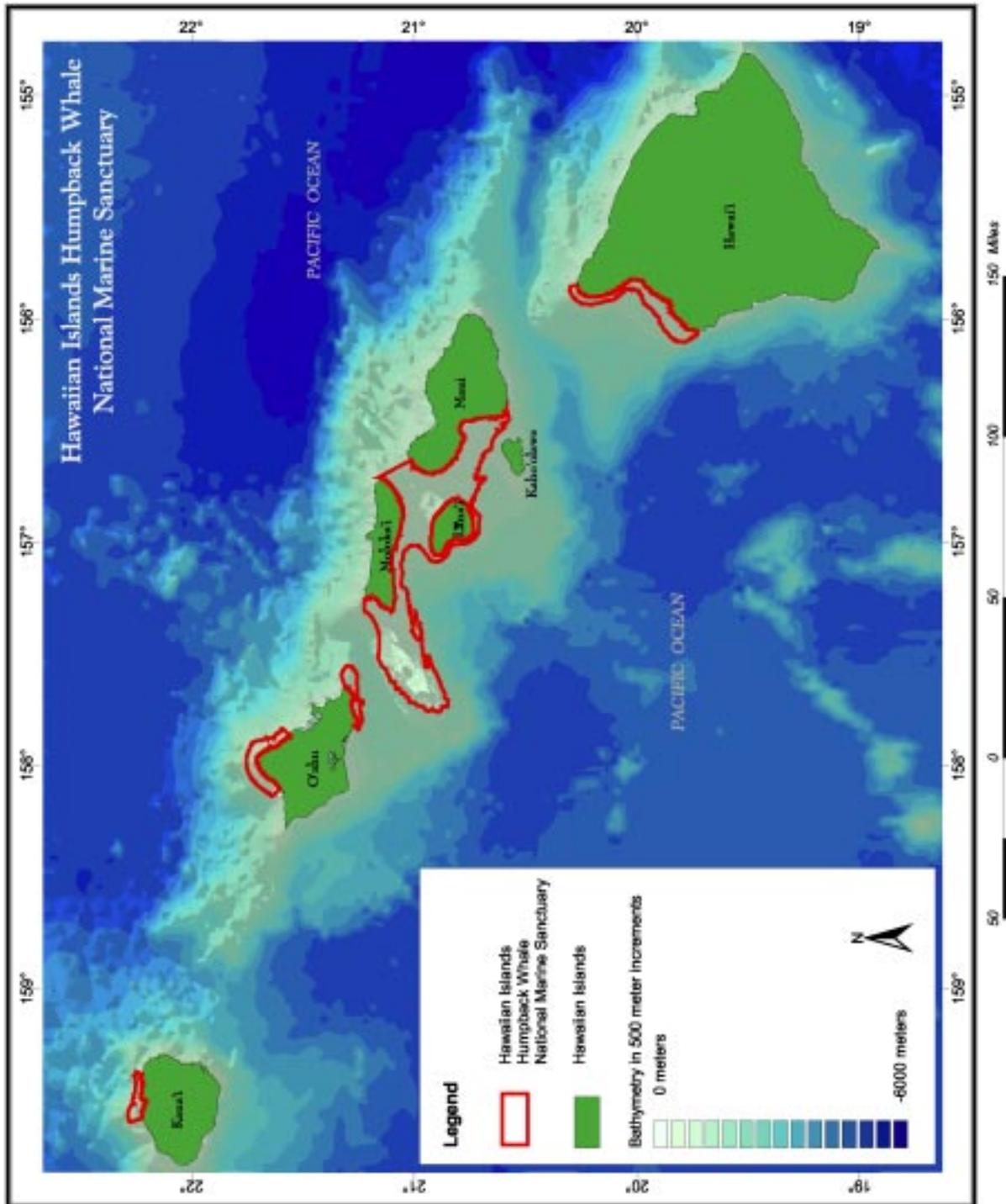
- to protect humpback whales and their habitat within the Sanctuary;
- to educate and interpret for the public the relationship of humpback whales to the Hawaiian Islands marine environment;
- to manage human uses of the Sanctuary consistent with the HINMSA and National Marine Sanctuaries Act (NMSA); and
- to provide for the identification of marine resources and ecosystems of national significance for possible inclusion in the Sanctuary.

These purposes are consistent with the overall goals and objectives of the National Marine Sanctuary Program (NMSP), which are to:

- enhance resource protection through comprehensive and coordinated conservation and management;
- maintain the natural biological communities in Sanctuaries, and to protect and, where appropriate, restore and enhance natural habitats, populations, and ecological processes.
- support, promote, and coordinate scientific research on, and monitoring of, site-specific marine resources;
- enhance public awareness, understanding, appreciation, and wise use of the marine environment; and
- facilitate to the extent compatible with the primary objective of resource protection, public and private uses of national marine sanctuaries.



Figure 1: Hawaiian Islands Humpback Whale National Marine Sanctuary





## Purposes of the Management Plan

In addition to designation of the Sanctuary, Section 2306 of the HINMSA required that NOAA prepare, in consultation with interested persons and appropriate Federal, State, and local authorities, a comprehensive management plan and implementing Sanctuary regulations, in accordance with the NMSA, to achieve the purposes and objectives of the Sanctuary. Section 2306(a) of HINMSA, states that the management plan shall:

- facilitate all public and private uses of the Sanctuary (including uses Hawaiian natives customarily and traditionally exercised for subsistence, cultural, and religious purposes) consistent with the primary objective of the protection of humpback whales and their habitat;
- set forth the allocation of Federal and State enforcement responsibilities, as jointly agreed by the Secretary and the State of Hawai'i;
- identify research needs and establish a long-term ecological monitoring program with respect to humpback whales and their habitat;
- identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations (under section 2307 of this subtitle) and section 313 of the NMSA (16 U.S.C. §1444);
- ensure coordination and cooperation between Sanctuary managers and other Federal, State, and county authorities with jurisdiction within or adjacent to the Sanctuary; and
- promote education among users of the Sanctuary and the general public about conservation of the humpback whales, their habitat, and other marine resources.

### Original Management Plan

The specified requirements of the Sanctuary's original management plan were compatible with the overall Sanctuary management concept embodied in the NMSA, and its implementing regulations (15 CFR Part 922), which require that a management plan be prepared for each National Marine Sanctuary. The HINMSA required NOAA to comply with the NMSA in developing the management plan and implementing regulations.

The original management plan defined actions tailored to specific issues affecting the Sanctuary. The plan recognized the need for facilitating human uses of the Sanctuary compatible with the primary purpose of protecting humpback whales and their habitat. Successful implementation of the original management plan required continuing cooperation and coordination among many Federal, State, and county agencies and representatives, as well as private organizations and individuals.

The original management plan was designed to provide guidance for management of the Sanctuary for the first five years of its operation. During this period, management initiatives generally fell into five fundamental program areas: resource protection, research and long-term monitoring, education and outreach, administration, and enforcement. In general, the original management plan:

- focused on Sanctuary goals and objectives, management responsibilities, and guidelines for the resource protection, research, education, and administration programs of the Sanctuary; and
- established an administrative framework which addresses the need for cooperative and coordinating programs and activities with other Federal and State agencies, as well as private organizations and interested citizens to ensure effective management of the Sanctuary.



## Sanctuary Regulations

The Sanctuary regulations include the following prohibitions:

- Approaching, or causing a vessel or other object to approach, within the Sanctuary, by any means, within 100 yards of any humpback whale except as authorized under the MMPA, as amended, 16 U.S.C. 1361 *et seq.*, and the ESA, as amended, 16 U.S.C. 1531 *et seq.*;
- Operating any aircraft above the Sanctuary within 1,000 feet of any humpback whale except when in any designated flight corridor for takeoff or landing from an airport or runway or as authorized under the MMPA and the ESA;
- Taking any humpback whale in the Sanctuary except as authorized under the MMPA and the ESA; and
- Possessing within the Sanctuary (regardless of where taken) any living or dead humpback whale or part thereof taken in violation of the MMPA or the ESA.

## Revised Management Plan

In reviewing the original management plan in preparation for the five-year review by the NMSP and the State of Hawai'i, it became clear that although a completely revised management plan was not necessary, some restructuring of the management plan would be beneficial to the Sanctuary. First, the Sanctuary has accomplished many of the tasks outlined for it in the original management plan (see following discussion in the State of the Sanctuary section) that could be removed. Second, the goals and objectives originally outlined for the Sanctuary needed to be revised to reflect the current and future direction of the Sanctuary, and the recent amendment of the NMSA. Finally, the structure of the original management plan did not meet the formats developed in the last three years for ongoing management plan reviews of other Sanctuaries. The NMSP and the State of Hawai'i decided to revise certain parts of the original management plan and reformat the entire document during the five-year review.

The draft revised management plan does not propose any regulatory or boundary changes.





## Summary of the *State of the Sanctuary Report*

### Introduction

This section summarizes the *State of the Sanctuary Report* (NOAA, 2001). The report assesses the Sanctuary's performance in six key areas of activity, fundamental to the Sanctuary's primary goal of resource protection.

### The Sanctuary and Education/Outreach

The Sanctuary uses education to promote ocean stewardship in the community. Since designation, it has developed many products and activities aimed at providing individuals with information necessary to make decisions that will effectively contribute to protecting humpback whales and their habitat in Hawaiian waters.

Sanctuary education emphasizes three main themes: 1) understanding humpback whale biology and behavior, and developing an appreciation for scientific and cultural perspectives that explain the history and significance of the humpback species; 2) awareness of the NMSP and its potential for providing the community with opportunities for taking action to increase marine conservation; and 3) understanding impacts resulting from human and natural causes on marine resources within the Hawaiian humpback whale habitat.

To further education, the Sanctuary has cultivated its headquarters on Maui as a center where ideas on resource protection can be discussed and explored on an informal basis. Located on the beach in a popular tourist town, the headquarters is a scenic magnet for visitors from around the world. The Sanctuary has enhanced the setting's natural assets by installing interpretive signage, cultivating a coastal garden of native Hawaiian plants, and facilitating shoreline observation of humpbacks during the winter season with a viewing deck and view scopes.

The headquarters has heightened the visibility of Sanctuary programs and provided both a "living classroom" and a nexus for volunteers from the neighborhood community. In a joint undertaking of staff and volunteers, a Sanctuary Education Center was designed and developed and became fully operational on the grounds of the headquarters in 1998. The center houses displays, videos, and books on the cultural and biological significance of the humpback whale and provides education in several aspects of the Hawaiian marine environment. The center is also a dissemination point for free brochures on NOAA and the NMSP. A core group of nearly 75 volunteers has undergone training and shares the duties of operating the center and providing informal docent services for visitors upon request.

In fiscal year 2001, more than 5,400 people visited the Sanctuary headquarters, with the peak in visitor numbers occurring during the winter "whale season." The ever-increasing flow of visitors prompted the hiring of a part-time employee to manage the Sanctuary Education Center during regularly scheduled weekday hours. The center is also the location for a monthly lecture series, offering presentations by experts on themes relating to cultural and scientific perspectives on the humpback whales and marine research. The cordial atmosphere of Sanctuary headquarters and the wide range of educational and entertaining activities it offers continue to rank as an unequivocal achievement that has enabled the Sanctuary to



establish its identity as a source of marine education in the community.

To assist in developing curricula on humpback whales within Hawaii's schools, the Sanctuary has fortified partnerships with several educational institutions and provided teaching tools for instruction in cetacean science and marine stewardship. Examples of productive collaborations include the Sanctuary's partnership with the Hawai'i Department of Education's interactive science television series, entitled *Kidscience*, the creation of positions for college interns under the University of Hawaii's Marine Options Program, sponsorship of Careers on the Water Day with Farrington High School, and the installation of a permanent exhibit on humpback whale biology in the Kaua'i Children's Museum. In an effort to step up outreach throughout the Islands, the Sanctuary staff has participated in many public events such as fairs that provide a venue for staff members to interact with diverse groups of people.

The Sanctuary has also found it productive to establish key "signature" events where Sanctuary education is clearly a focus of activity. The Kaua'i Family Ocean Fair, which receives additional sponsorship from the Kīlauea Point National Wildlife Refuge, mixes instruction and lectures with ocean-themed opportunities for recreation and entertainment. Last year, it attracted more than 3,500 visitors. The Sanctuary Ocean Count last year also proved to be quite popular, enlisting the help of more than 1,000 volunteers to participate in an annual census of humpback whales from shoreline locations throughout the state. Both events have received significant levels of local and national news media coverage, commending the Sanctuary for increasing yearly participation of a diverse island community in ocean education activities.

To enhance understanding of Sanctuary goals and ensure greater participation in programs, the Sanctuary has turned increasingly to news and entertainment media. The agency hired a Public Outreach Coordinator, who has secured coverage for the Sanctuary in print and broadcast media and has enhanced the Sanctuary's relations with numerous writers and reporters. Other media-oriented informational projects include a 20-minute video segment about the Sanctuary aired during incoming flights to Hawai'i on Hawaiian Airlines; a brochure on the Maui Sanctuary site; a general press kit; a public service announcement for television broadcast; and regular press releases on Sanctuary events. In another very important move to engage and inform the public, the Sanctuary, in consultation with NOAA, established a website with comprehensive news and information on resource protection, humpback whales, the Hawaiian habitat, research and development, and the history and future plans of the NMSP.

## The Sanctuary and Native Hawaiian Culture

Ocean stewardship is deeply embedded in Native Hawaiian culture. Early Hawaiians developed techniques to manage their ocean resources without depleting them. The Sanctuary has made it a goal to facilitate Native Hawaiian traditional uses of the humpback whale habitat which promise to bolster the primary goals of resource protection. Many of the traditional practices, handed down through generations, survive today. Others, however, were eclipsed at the end of the Hawaiian Kingdom and some even disappeared under the incursion of Western culture. A revival of Hawaiian oceanic traditions is currently underway as part of a broader movement of Hawaiian cultural revitalization. The Sanctuary bolsters this movement by educating the public—Hawaiians and non-Hawaiians alike—about the relevance traditional marine practices have in today's world.





With the help of Native Hawaiian consultants including a Sanctuary Advisory Council representative of Hawaiian affairs, the Sanctuary took the step of researching customs that appear to have contributed to early Hawaiians' harmonious relationship with the ocean. This information includes the following themes: (1) early Hawaiian success with fishpond aquaculture; (2) Hawaiian invention of the *ahupua'a* a system of social and political order based on watershed or mountain-to-shore management of natural resources; and (3) Hawaiian spiritual or religious reverence for several marine organisms as ancestral guardians known as *'aumakua*.

In order to take a more proactive role in highlighting the value of Native Hawaiian ocean stewardship, the Sanctuary hired a Hawaiian Cultural Educator in 1999. This individual, a former Sanctuary intern, made a major contribution to elucidating the cultural value of Sanctuary resources in a paper and pamphlet on the Native Hawaiian significance of the humpback whale, identified in Hawaiian language as the *koholā*. A major achievement of the Hawaiian Cultural Educator consisted of synthesizing a large body of research into a brochure *The Cultural Importance of Whales in Hawai'i* and by incorporating the information in public lectures and a tabletop display created for use at community events such as educational fairs.

Further accomplishments underlining the Sanctuary's commitment to preserving the traditional cultural value of natural resources include: 1) field presentations involving on-site cultural interpretation of marine resources within Sanctuary boundaries; 2) establishment of partnerships with Native Hawaiian organizations in the community; 3) providing curriculum content for teaching Native Hawaiian perspectives on the humpback whale and marine stewardship; 4) incorporating Native Hawaiian protocols into Sanctuary presentations; and 5) producing Native Hawaiian language translations of Sanctuary educational materials.

## The Sanctuary and Enforcement

Federal and State agencies have authority to enforce regulations arising from the Marine Mammal Protection Act and the Endangered Species Act, which list humpbacks as an endangered species and provide the animals with special legal protection. The Sanctuary does not directly conduct enforcement activities, but it provides several forms of support for the agencies that do so on the Sanctuary's behalf.

In a noteworthy measure, the Sanctuary has for five years provided training, salary, and staff support for a NOAA enforcement officer, based at Sanctuary headquarters for the duration of whale season. The officer receives and investigates complaints of possible instances of whale harassment. The Sanctuary shares with NOAA Enforcement and other agencies an interest in maintaining enforcement of the Federal "approach regulation," which requires that people stay at least 100 yards away from humpback whales unless a humpback whale research permit has been obtained. The Sanctuary has worked to reduce the likelihood that this regulation will be violated by cooperating in public education campaigns that describe the negative impacts to whales resulting from human pursuit and harassment. Toward this end, the Sanctuary has jointly sponsored an annual Ocean Users Workshop on four islands and the publication of the Ocean Users' Handbook and a regulation reference card for boaters. Additionally, the Sanctuary has supported the National Marine Fisheries Service in their production of a local brochure for the Watchable Wildlife Campaign, which encourages observation of wildlife in a non-intrusive manner.





In another arena of enforcement, the Sanctuary has fortified ties with agencies that have direct jurisdiction in preventing or remediating water quality and seabed degradation. These agencies include the United States Coast Guard, the Environmental Protection Agency, the Hawai'i Division of Conservation and Resources Enforcement, and the Hawai'i Department of Health.

## The Sanctuary and Inter-Agency Cooperation

The more that is learned about the dynamic and interrelated nature of marine ecosystems, the greater the perceived need is to govern the ocean with a cooperative approach that minimizes the constraints of traditional sectoral boundaries of management responsibility and jurisdiction. The Sanctuary implements a collaborative approach to management with the intent of increasing flexibility, mobilizing efficient use of limited staff resources, reducing duplicative services, and increasing opportunities for broad and effective citizen participation.

In 1997, NOAA and the State of Hawai'i signed an Intergovernmental Compact of Agreement establishing the framework for an administrative partnership. In accordance with the agreement, the Sanctuary Federal manager routinely consults with the State co-manager, based in the Hawai'i Department of Land and Natural Resources, in the implementation of comprehensive and coordinated management.

The Sanctuary has also made significant strides in constructing a collaborative management framework by increasing the role of the Sanctuary Advisory Council (SAC). A Sanctuary Advisory Coordinator has been hired to coordinate input and training for the 24-member body that represents diverse ocean interests in Sanctuary management. Since 1997, the SAC has established subcommittees made up of members that bring technical expertise to the respective areas of research, education, and conservation—fundamental to the Sanctuary's primary mission in resource protection.

## The Sanctuary and Social Impacts

The Sanctuary assumes an important role in supporting multiple uses of coastal waters in the nation's only Island State, where easy access to the ocean is as vital to the well-being of humans as conservation measures are to the continued recovery of humpback whales. Transportation, tourism, commerce, culture, and recreation are inexorably tied to ocean use in Hawai'i. The Sanctuary has taken steps to cultivate positive social and economic impacts in the community by monitoring negative and positive impacts of ongoing ocean uses and implementing education programs to help ocean users eliminate unacceptable behavior and thus increase their contribution to marine stewardship.

The Sanctuary has implemented a policy of working closely with the whale-watch industry, which not only constitutes an obvious impact on the whale habitat but also comprises the fastest growing sector of Hawai'i's ocean industry. In one noteworthy move, the Sanctuary supported a study on the economic impact of humpback whales in Hawai'i (NOAA 2000). The research estimated direct commercial revenues from the whalewatching industry to be worth an annual amount of \$11 million. This information, made available to media, lawmakers, and the general public, underlined a positive material benefit of the whale-watch industry and gave credence to the concept that humpback recovery should be encouraged because it is, at minimum, an economic asset to the local community.





The economic success of the whale-watch industry has also prompted the Sanctuary to institute precautionary measures that reduce the potential for increased whale-watch vessel traffic to hinder other ocean uses or cause harm to natural resources. Among these efforts, the Sanctuary has done the following: (1) established a Sanctuary Advisory Council position for a whale-watch industry representative; (2) designed the annual *Ocean Users Workshop* to target the needs of the whale-watch industry; and (3) implemented plans for a workshop that will identify ways to reduce collisions between whales and boats in coastal traffic.

The development of the Sanctuary Volunteer Program ranks as another major achievement in community impact and social currency. The Sanctuary has a staff Volunteer Coordinator who recruits and trains volunteers, apprising them of NOAA policies and Sanctuary goals. It's estimated that a total of 4,500 hours of *pro bono* services have been donated to the Sanctuary. A core of approximately 75 volunteers maintains regular weekly hours at the Sanctuary, contributing in areas ranging from office chores to the design of educational displays. In anecdotal reports, volunteers credit the Sanctuary for enriching their knowledge and interaction with the ocean. To put it another way, volunteerism at the Sanctuary embodies a win-win situation and increases a desirable social impact of the Sanctuary program.

### **The Sanctuary and Research**

Though scientists have made great strides in understanding cetaceans in the last few decades, they are only beginning to effectively understand many aspects of humpback behavior and biology. The Sanctuary makes a great effort to support the continuation of humpback research because it attempts to answer questions about the animal's recovery status and the need to maintain or redouble conservation efforts.

The Sanctuary's major contribution to research involves annual awards of grants to teams of scientists engaged in the study of Hawai'i's humpbacks. Between 1993 and 1998, the Sanctuary has contributed funding that has helped in the completion of 22 humpback whale research projects in Hawaiian waters. The Sanctuary also takes an active role in disseminating the findings of research projects to other agencies and to the general public. As a requirement for funding, the Sanctuary asks researchers to produce a manuscript suitable for publication in a technical or peer review journal. In the effort to further the frontiers of cetacean science through the exchange of meaningful ideas, the Sanctuary has assisted in planning efforts for a whale research conference on Maui and also served as the lead sponsor of the 2000 International Marine Debris Conference in Honolulu.

The Sanctuary also encourages several other streams of research. An outstanding example of the Sanctuary's collaborative and multi-disciplinary approach to education and research can be seen in the Hawai'i visit of the Sustainable Seas Expedition. The Sanctuary took an active role in ensuring that the local community could capitalize on this NOAA-led project of ocean exploration and technological discovery.



## Sanctuary Description



### Introduction

The Hawaiian Islands are the world's most isolated island archipelago, born of ancient volcanoes and inhabited by animals and plants derived from ancestors that found their way here over thousands of miles of ocean. According to scientists, the shallow, warm waters surrounding the main Hawaiian Islands constitute one of the world's most important habitats for the endangered humpback whale. Nearly two-thirds of the entire North Pacific population of humpback whales migrates to Hawai'i each winter. Here, they engage in breeding, calving and nursing activities critical to the survival of their species.

The Sanctuary is also home to a fascinating array of marine animals, corals and plants, some of which are found nowhere else on Earth. Its cultural heritage includes Native Hawaiian traditions of living in harmony with the sea. Its waters invite activities such as diving, boating and snorkeling, and support commercial uses such as fishing and shipping.

### Environment

The Sanctuary is actually a series of five noncontiguous marine protected areas distributed across the main Hawaiian Islands (see following section for discussion on more specific boundaries). The total area of the Sanctuary is about 1,400 square miles. Encompassing about half of the total Sanctuary area, the largest contiguous portion of the Sanctuary is delineated around Maui, Lana'i, and Moloka'i. The four smaller portions are located off the north shore of Kaua'i, off Hawai'i's Kona coast, and off the north and southeast coasts of O'ahu. While this description of the Sanctuary's natural environment and human use is generalized for the Sanctuary as a whole, it is important to note that upon more detailed inspection, each of the five Sanctuary areas has its own distinct natural character and social significance.

The waters around the main Hawaiian Islands of Kaua'i, O'ahu, Hawai'i, Maui, Moloka'i, Lāna'i, and Kaho'olawe constitute one of the world's most important North Pacific humpback whale (*Megaptera novaeangliae*) habitats and the only place in the U.S. where humpbacks reproduce.

### Boundary

The boundary of the Sanctuary consists of the submerged lands and waters off the coast of the Hawaiian Islands seaward from the shoreline, cutting across the mouths of all rivers and streams —

- (1) to the 100-fathom (183 meter) isobath adjoining the islands of Maui, Moloka'i, and Lāna'i, including Penguin Bank, but excluding the area within three nautical miles of the upper reaches of the wash of the waves on the shore of Kaho'olawe Island;
- (2) to the deep water area of Pailolo Channel from Cape Hālawā, Moloka'i, to Nākālele Point, Maui, and southward;
- (3) to the 100-fathom isobath around the Island of Hawai'i;
- (4) to the 100-fathom isobath from Ka'īliu Point eastward to Makahū'ena Point, Kaua'i; and
- (5) to the 100-fathom isobath from Pua'ena Point eastward to Māhie Point and from the Ala Wai Canal eastward to Makapu'u Point, O'ahu.





Excluded from the Sanctuary boundary are the following commercial ports and small boat harbors which are adjacent to or abut the Sanctuary boundary:

#### Maui

Kahului Harbor  
Lahaina Boat Harbor  
Mā‘alaea Boat Harbor

#### O‘ahu

Ala Wai Small Boat Basin

#### Lāna‘i

Kaunapau Harbor  
Mānele Harbor

#### Hawai‘i (Big Island)

Hilo Bay Harbor  
Honokōhau Boat Harbor  
Keauhou Bay  
Kawaihae Boat Harbor and  
Small Boat Basin

#### Moloka‘i

Hale o Lono Harbor  
Kaunakakai Harbor

#### Kaua‘i

Hanamā‘ulu Bay

The waters around the island of Kaho‘olawe are not included in the Sanctuary at this time. NOAA has and will continue to work closely with the Kaho‘olawe Islands Reserve Commission, the State of Hawai‘i, and the Navy to assess whether Kaho‘olawe should be included in the Sanctuary at a later date.

The establishment of the Sanctuary in no way conveys, or intends to convey, to NOAA any title or ownership of Hawaii’s submerged lands. These lands, including those known as ceded lands, continue to be held in trust by the State of Hawai‘i. The Sanctuary will exist as a co-steward of the Sanctuary and its resources. Should the status of the submerged lands change at some time in the future (i.e., lands are conveyed to a sovereign Hawaiian nation), the Sanctuary will work with the appropriate entities to redefine its role if necessary.

## Geology

The Hawaiian Islands formed one by one as the Pacific Plate of the Earth’s crust moved northwestward over a stationary “hot spot.” At the hot spot, magma from deep within the Earth periodically pushes through the crust to the surface, forming an island. Over millions of years, the Pacific Plate has worked like a very slow conveyor belt, moving islands away from the hot spot and providing fresh areas of oceanic crust over the hot spot so that new islands can emerge.

This hot-spot phenomenon explains why the islands get older as one travels northwestward from the Big Island (the youngest island). The oldest parts of the Big Island are estimated to be no more than half a million years old, while Maui, O‘ahu and Kaua‘i are about 1, 3 and 5 million years old, respectively.

Because the Big Island still resides over the hot spot, volcanic activity is still observed there, but the movement of the Pacific plate continues, and a new undersea volcano (Lo‘ihi) appears to be growing into an island off the Big Island’s southeast coast.





## Climate and Oceanography

Hawai'i is famous for its comfortable climate. Air temperatures over Sanctuary waters throughout the state rarely exceed 90°F in the warm season (May through September) and rarely dip below 65°F during the cool season (October through April). The main climate controls in Hawai'i are latitude, the Pacific Ocean, and altitude. Lying between 19° and 22° north latitude, the main Hawaiian Islands are on the edge of the tropics and within the area where trade winds blow northeasterly about eight days out of ten. Because of the islands' low latitude, the longest and shortest days of the year differ by only about two hours. The Pacific Ocean supplies moisture to the air, and, because of its high heat-storage capacity, keeps temperatures within a relatively narrow range. Most differences in temperature from place to place in Hawai'i result primarily from altitude, where cooler areas are typically found at higher elevations.

Rainfall is the one climatic feature in Hawai'i that is highly variable. Kaua'i's Mount Wai'ale'ale, where average annual rainfall is around 450 inches per year, is one of the wettest spots on Earth. However, at the Sanctuary headquarters in Kihei, Maui, average annual rainfall is only about 15 inches per year. The wettest time of year for most of Hawai'i is during the cooler months, from November through February, but the Kona Coast of the Big Island, where the southeastern portion of the Sanctuary is located, experiences a peak in rainfall during the warmer months of March through August. In general, average annual rainfall over Sanctuary waters is between 15 and 60 inches per year.

Ranging from about 70° and 80° F, the surface waters of the sanctuary are relatively warm. However, water temperatures at the deepest depths of the sanctuary (around 600 feet) can be as cold as 40°F. The large-scale surface current patterns in the Hawaiian Islands generally go from east to west, but winds and tidal flows add to their complexity.

## Marine Ecosystems

With its boundaries including waters from the shoreline to depths of 600 feet in many areas, the Sanctuary encompasses a variety of marine ecosystems, including seagrass beds and coral reefs. Much of the Sanctuary has fringing coral reefs close to shore and deeper coral reefs offshore. Hawai'i's coral reefs are noted for their isolation and endemism. Over 25% of all Hawai'i's reef animals are endemic, meaning that they are found nowhere else on earth.

In Hawai'i's fringing reef ecosystems, corals and coralline algae are the dominant reef-building organisms. The corals found on the Sanctuary's fringing reefs include rice coral (*Montipora capitata*), lobe coral (*Pavona duerdeni*), corrugated coral (*Pavona varians*), mushroom coral (*Fungia scutaria*), lace coral (*Pocillopora damicornis*), antler coral (*Pocillopora eydouxi*), cauliflower coral (*Pocillopora meandrina*), finger coral (*Porites compressa*), and plate coral (*Porites rus*). Other important components of the fringing reef ecosystem include algae (brown, red, and green), marine invertebrates (shrimp, lobster, crabs, and sea urchins) and fish (parrotfish, wrasses, damselfish, surgeonfish, goatfish, jacks, and sharks). Endangered Hawaiian monk seals and threatened green sea turtles are also important members of the sanctuary's fringing reef community.





The deeper reefs lie in the “twilight zone” of the Sanctuary below 200 feet. These deep-reef ecosystems have their own unique assemblage of corals, algae and marine invertebrates, many of which are depth-adapted versions of species found at shallower depths. Deep-reef fish include squirrelfish, soldierfish, surgeonfish, snappers, and emperors. Endangered Hawaiian monk seals and threatened green sea turtles also frequent the Sanctuary’s deeper reefs.

### **Human Uses and Economic Value of the Sanctuary**

People use the resources found within the Sanctuary in a variety of ways. Native Hawaiians have long had close relationships with their marine environment. Nowadays, the marine area included in the Sanctuary is used extensively for ocean recreation, fishing, and shipping. In Sanctuary waters off of Maui, for example, commercial tour operations feature whalewatching, sportfishing, parasailing, and snorkeling. Commercial fishing, cruise ships and commercial shipping also use the same area. One of the main purposes of the Sanctuary is to work with government agencies and the private sector to ensure that these activities are conducted in ways that have the least possible impact on humpback whales and their habitat.

The Sanctuary’s goal of protecting humpback whales and their habitat is very important for the continued success of Hawai‘i’s whalewatching industry. A recent study (NOAA 2000) estimates that commercial whalewatching tours in Hawai‘i support as many as 390 jobs and generate as much as \$27 million annually in local revenues. Through its management activities, the Sanctuary actively protects the humpback whale’s significant economic contribution to the Hawaiian islands.

### **Sanctuary Purpose**

The HINMSA designated the Sanctuary for the primary purpose of protecting humpback whales and their habitat within the Hawaiian Islands marine environment. Recent research indicates that the population of humpback whales in Hawaiian waters during the 1999-2000 season was between approximately 4,500 and 6,500 individuals (Mobley *et al.*, in press). The same research indicates that the population has increased an average of approximately 7% per year from 1993 through 2000.

The NMSP has defined humpback whale habitat, for purposes of Sanctuary management, as:

“those areas in the waters around Hawai‘i that provide space for individual and population growth and normal behavior of humpback whales, and include sites used for reproductive activities, including breeding, calving and nursing.”

### **Sanctuary Resources**

The Hawaiian Islands have at their heart the only National Marine Sanctuary dedicated to whales and their habitat. The annual migration of the humpback whales, from their summer home in icy Alaskan waters to their Hawaiian winter destination, is a miraculous feat. They can cover nearly 3,000 miles of open ocean in less than two months’ time, but how they find their way remains a mystery. The reason why they come here, however, is more easily understood.





Like all whales, humpbacks are mammals, and belong to the baleen whale suborder, *mysticeti*. They graze on zooplankton and small fishes in temperate and subpolar waters. Nearly all of the baleen whales migrate some distance to warmer tropical waters to breed and give birth. The humpback whale population that comes to Hawai'i each winter is part of a much larger group that lives in the North Pacific Ocean, with feeding aggregations distributed in the Gulf of Alaska, southeast Alaska, and central California. Many members of these feeding groups migrate southward to the tropical waters off Japan and the Ryukyu Islands, as well as to Hawai'i, Mexico, and Central America in roughly parallel tracks, with very little exchange between the breeding grounds. The Sanctuary has been established in the heart of the largest breeding grounds for the humpback whale. It is estimated that approximately 2,000 to 5,000 individuals come here each year, a significant portion of the total North Pacific population of 6,000 to 10,000 whales.

Humpback whales are easy to identify in Sanctuary waters. In comparison to other whales, they are actually medium-sized, with females tending to be larger than males, averaging 45 feet in body length and weighing approximately 40 to 45 tons. The calves are typically 14 feet at birth, and may weigh as much as 2 tons. Mature humpbacks are dark gray to black on their backs and sides, with mostly dark undersides, although some individuals have splotches of white. Humpback whales have the longest pectoral flipper of all the whales—about one third the length of the body—which can be mottled white on the upper and lower surface. The undersides of their tail flukes are as distinctive as our fingerprints, and range from all black to all white, with a whole gamut of splotching and scarring in between. The trailing edges of the flukes have a slight “S” curve and many knobby scallops and average 15 feet in width. When humpbacks dive, they often show their flukes, which researchers photograph and use to identify individuals as they come and go the Hawaiian Islands and elsewhere.

Humpback whales are classified in the balaenopterid family, which also includes the world's largest whale—the great blue whale—and the smallest baleen whale, the minke. A family trait is an expandable throat with pleats that allows these whales to engulf huge quantities of prey and water, more than 500 gallons per gulp. The early Norwegian whalers called them “rorqual” or red whales because these pleats appear pink when fully stretched by a mouthful of prey. The whales strain this writhing mass of food by pushing the water out through the baleen (the keratin structures that grow from their top jaws instead of teeth), using their one-ton tongues like a plunger. Once the food is separated from the seawater, the whales swallow it and the process begins again. A remarkable humpback trait is its cooperative feeding strategy, during which several individuals “herd” the fish in a “bubble net” that the whales create by swimming in ever smaller concentric circles.

The humpbacks rarely feed, however, during their stay in Hawaiian waters. Some observers have reported seeing them feed on schools of small fish, but like all baleen whales, humpbacks have adapted to fasting during their migration breeding seasons, while living off their fat reserves. Undoubtedly, they would eat while they were here if food was plentiful, but tropical waters are typically nutrient-poor and don't support the shoals of fish and krill that humpbacks feed on during the summer months. When males engage in competitive behaviors on the breeding grounds they sometimes fill their mouths with water to posture, that is, to make themselves look bigger. Some people may mistake this behavior as feeding activity.

Another distinguishing feature of all humpback whales is their bumpy rostrum, or top jaw,





which is dotted with fleshy knobs called tubercles. The early whalers also noticed these knobs and called them “stove bolts.” No other whales have them, and the fact that they house a strand of hair and many nerve endings leads scientists to speculate that they may serve some sensory function. The final feature that easily distinguishes humpbacks from other whales, and for which they have received their common name, is the way they curve their back and tailstock region when preparing to dive.

Humpback whales are also easy to see in Hawaiian waters because they exhibit many dramatic behaviors. On their breeding grounds, the males compete for access to receptive females, slamming each other with their powerful tail flukes, lunging at and chasing each other, and producing unique and mysterious songs. The females and young are also active, slapping the surface of the water with their long pectoral fins and tails, and hurling their gargantuan bodies into the air in spectacular breaches. Female humpbacks are also very nurturing mothers. They stay in close contact with their young while on the breeding grounds, suckle their calves for up to a year, and defend and protect them from predators and rowdy suitors.

The 11 1/2-month gestation period of the humpback whale ensures that females impregnated in a given winter will give birth the following winter in the warm, sheltered breeding grounds. Calves grow quickly, sustained by their mother’s fat-rich milk, and usually double in size during their first year. After feeding all summer in the cooler, nutrient-rich waters off the Gulf of Alaska, a newly weaned calf may follow its mother back to the breeding grounds the following winter. The calves also seem to learn the feeding areas their mother’s prefer. By the time they reach young adulthood, between the ages of four and six, some whales are ready to breed themselves, and the cycle continues.



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## Sanctuary Vision, Goals, and Objectives

### Introduction

The vision, goals, and objectives that follow are based on those in the original management plan. They have been updated by the Sanctuary staff and SAC to reflect the current Sanctuary framework and needs.

These goals and objectives also served as the foundation for the development of the strategies in the action plans found in the following section. The action plans are presented along thematic lines, not strictly in line with each goal and objective; however, each action plan or strategy description references which of the goals and objectives it addresses. Table 2 presents this in a graphic format.

### Sanctuary Vision

The Sanctuary works collaboratively to sustain a safe and healthy habitat for the North Pacific stock of humpback whales (*koholā*). As a community of ocean stewards, the Sanctuary strives to achieve a balance of appropriate uses, inspired care taking, enlightened understanding, and effective education to ensure the continued presence of the *koholā* for future generations. The Sanctuary endeavors to do this with harmony, hope, respect, and *aloha o ke kai* (love of the sea).

### Goals and Objectives

#### GOAL 1: CONSERVE, ENHANCE AND PROTECT HUMPBACK WHALES AND THEIR HABITAT.

Objective 1.1: Identify and reduce threats to the humpback whale and its habitat including oil spills and hazardous material spills, vessel impacts, and underwater acoustics.

Objective 1.2: Establish and maintain a damage assessment and restoration function.

Objective 1.3: Enhance permit and project review procedures.

#### GOAL 2: PROMOTE AND COORDINATE RESEARCH TO ENHANCE THE UNDERSTANDING OF HUMPBACK WHALES AND THEIR HABITAT, AND TO IMPROVE MANAGEMENT DECISION-MAKING.

Objective 2.1: Develop a detailed research and monitoring program.

Objective 2.2: Evaluate current and prioritize future research needs.

Objective 2.3: Develop ways to share information and promote coordination among researchers.

#### GOAL 3: ENHANCE PUBLIC AWARENESS, UNDERSTANDING, AND APPRECIATION OF HUMPBACK WHALES, THEIR HABITAT AND THE SANCTUARY.

Objective 3.1: Interpret the natural history and social and cultural importance of humpback whales.

Objective 3.2: Promote public stewardship and an ocean conservation ethic, to help protect humpback whales and their habitat, and encourage voluntary compliance with regulations protecting them.





- Objective 3.3: Develop education and awareness programs for multiple audiences, including the Native Hawaiian community.
- Objective 3.4: Encourage information exchange among educators.
- Objective 3.5: Collaborate with local, regional and national organizations to provide education and outreach programs.
- Objective 3.6: Establish procedures for identifying, selecting, and sponsoring education projects.

**GOAL 4: FOSTER ALL USES OF THE SANCTUARY COMPATIBLE WITH PROTECTION OF THE HUMPBACK WHALES AND THEIR HABITAT (INCLUDING USES BY NATIVE HAWAIIANS CUSTOMARILY AND TRADITIONALLY EXERCISED FOR SUBSISTENCE, CULTURAL AND RELIGIOUS PURPOSES).**

- Objective 4.1: Provide relevant information about sanctuary uses, use policies, and regulations.
- Objective 4.2: Work with the Native Hawaiian community to identify customary and traditional uses of the marine environment and educate the general public about these uses.

**GOAL 5: ESTABLISH MECHANISMS TO FOSTER COORDINATION AND COLLABORATION AMONG FEDERAL, STATE, AND LOCAL RESOURCE MANAGEMENT AGENCIES, NATIVE HAWAIIANS, ACADEMIA, PRIVATE SECTOR, GENERAL PUBLIC, NGO'S, AND OTHER ORGANIZATIONS TO ACHIEVE SANCTUARY GOALS.**

- Objective 5.1: Establish MOUs, interagency agreements, and other agreements for coordination among agencies relevant to sanctuary management, to better protect humpback whales and their habitat, and to enhance enforcement of regulations protecting them.
- Objective 5.2: Provide opportunities to engage the SAC in planning, evaluation, and other appropriate activities.

**GOAL 6: DEVELOP AND MAINTAIN INFRASTRUCTURE AND RESOURCES TO ACHIEVE SANCTUARY GOALS.**

- Objective 6.1: Provide adequate staffing to achieve Sanctuary goals.
- Objective 6.2: Maintain and develop additional facilities and equipment.
- Objective 6.3: Provide training and build skills for staff, volunteers, and SAC.
- Objective 6.4: Encourage volunteer participation in Sanctuary programs.
- Objective 6.5: Maintain comprehensive planning processes.
- Objective 6.6: Maintain an organizational structure that achieves sanctuary goals effectively and efficiently.
- Objective 6.7: Expand revenue enhancement programs and opportunities.

**GOAL 7: IDENTIFY AND EVALUATE RESOURCES AND ECOSYSTEMS FOR POSSIBLE INCLUSION IN THE SANCTUARY.**

- Objective 7.1: Develop and implement a process that identifies and evaluates resources for possible inclusion in the sanctuary.



Table 2: Matrix of Strategies, and Goals and Objectives

	Natural Resource Protection					Education and Outreach				Research and Monitoring				Cultural Resource Enhancement							
	NRP-1	NRP-2	NRP-3	NRP-4	NRP-5	EO-1	EO-2	EO-3	EO-4	RM-1	RM-2	RM-3	RM-4	CRE-1	CRE-1	AD-1	AD-2	AD-3	AD-4	AD-5	
Goal 1	[Blue bar]																				
Objective 1.1	●																				
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Goal 4																					
Objective 4.1				●																	
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Objective 6.4										●											
Objective 6.5										●											
Objective 6.6																					
Objective 6.7																					
Goal 7																					
Objective 7.1																					

[Blue bar] = General support for a goal

● = Specific support for an objective

△ = Secondary support for an objective

## Introduction to Action Plans



This management plan is constructed around a set of functionally-based action plans that outline how the Sanctuary will be managed for the next five years. Each action plan outlines what, who, why, when, and how different strategies will be conducted and presents the costs that might be incurred for each strategy.

### Development of Action Plans

As the goals and objectives of the original management plan were reexamined, Sanctuary staff and members of the Sanctuary Advisory Council also worked together to identify the issues that the Sanctuary faced and the outcomes that should be sought for each issue. Strategies were developed to determine how to reach those outcomes. The strategies were then organized into the following set of thematic action plans:

- **Natural Resource Protection:** encompasses contingency planning, damage assessment, emergency response, permitting, enforcement, and development of a process to evaluate resources for possible inclusion in the Sanctuary.
- **Education and Outreach:** incorporates education, outreach, and interpretive projects, and the development of a volunteer plan.
- **Research and Monitoring:** includes research and monitoring projects, as well as steps to enhance the administration of research projects and communications among researchers, decision-makers, and the public.
- **Cultural Resources Enhancement:** encompasses projects pertaining to Native Hawaiian uses and traditions.
- **Administration:** comprised of projects associated with interagency coordination, Sanctuary Advisory Council operations, staffing, and facilities.

Each strategy is broken into activities and is discussed in detail in the action plan.

### Assessment of Management Effectiveness

Each action plan contains a brief discussion of the outcomes expected, and the performance indicators that will be used to measure progress toward the outcome. This type of effort is being undertaken to measure the Sanctuary's management effectiveness (i.e., the achievement of a planned effort or action). Assessing management effectiveness is governed by the following principles:

- Assessment criteria should be developed by the Sanctuary's staff and their SAC/partners;
- Effectiveness should be measured in "progressive" terms (consistently moving toward a fixed point or percentage) rather than absolute terms (measured only at a fixed point or percentage);
- Assessments should as much as possible reflect the goals and objectives of the Sanctuary; and
- Results should be written in clear, concise language that is easy to understand and easy to communicate to stakeholders and the public.

It should also be recognized that much of the Sanctuary's day-to-day management includes actions that are goal-related and objective-driven, but non-measurable, non-quantifiable, and not related to a specific strategy, or activity. Such actions might include impromptu communi-





cations with constituents or other Federal or State partners; unplanned meetings with industry, the media, other government officials, or the general public; emergency response situations; and assorted administrative duties. Although such actions may not be designated as specific parts of a particular strategy, they should be recognized as an integral part of day-to-day management of the Sanctuary.

### Summary of Existing Authorities

A number of existing authorities exercise jurisdiction in Hawaiian waters and act as partners with the Sanctuary on projects of mutual interest. These authorities include:

- State of Hawai‘i - holds in trust the land and water resources of the State, including submerged lands. Key agencies include the Department of Land and Natural Resources, the Department of Business, Economic Development, and Tourism, and the Department of Health.
- National Marine Fisheries Service (NMFS), NOAA - oversees fisheries management and species protection under the Magnuson-Stevens Act, the Endangered Species Act, and the Marine Mammal Protection Act in the Exclusive Economic Zone and beyond. Key offices in Hawai‘i include the Honolulu Laboratory and the Pacific Islands Area Office. NMFS also serves as NOAA's enforcement arm.
- U.S. Coast Guard (USCG), Department of Transportation - responsible for enforcing federal laws and regulations in the Exclusive Economic Zone.
- U.S. Fish and Wildlife Service (USFWS) - responsible for administration and management of all National Wildlife Refuges. The USFWS is also responsible for protecting endangered species under the Endangered Species Act and migratory birds under the Migratory Bird Treaty Act.



## Natural Resource Protection Action Plan



### Introduction

The highest management priority for the HIHWNMS is the long-term protection of humpback whales, and their habitat within the Sanctuary's boundary. During the development of the Sanctuary's original management plan, NOAA concluded that no additional independent regulatory prohibitions or restrictions were needed for their protection. Instead, NOAA determined that the Sanctuary should play an integral role by facilitating and coordinating complementary management and regulatory efforts to enhance education, research, monitoring, and enforcement with existing Federal and State authorities sharing regulatory responsibility for protection and management of humpback whales and their habitat.

This action plan provides the strategies (Table 3 and Figures 2 and 3) that will be used to continue a complementary management approach to help protect the humpback whale and its habitat. The strategies were prepared in response to issues identified by the original management plan, Sanctuary staff, and the Sanctuary Advisory Council. The strategies and activities in this action plan address Goal 1: *Conserve, enhance, and protect humpback whales and their habitat*; Goal 4: *Foster all uses of the Sanctuary compatible with protection of humpback whales and their habitat (including uses by Native Hawaiians customarily and traditionally exercised for subsistence, cultural, and religious purposes)*; and Goal 7: *Identify and evaluate resources and ecosystems for possible inclusion in the Sanctuary*. The following sections discuss each strategy in detail.

### Outcomes and Performance Indicators

NRP Outcome 1: By the end of 2004, the Sanctuary will have an enhanced capability to protect its resources, as indicated by:

- A defined role and responsibilities in contingency planning in coordination with appropriate Federal, State, and local agencies by the end of 2003.
- An identified and trained point of contact for consultation and permits by the end of 2004.
- A defined policy and mechanisms necessary for damage assessment and restoration to incidents that result in destruction, loss of, or injury to humpback whales and their Hawaiian Sanctuary habitat by the end of 2004.

NRP Outcome 2: By the end of 2005, the Sanctuary will understand and communicate the full range and patterns of uses of the Sanctuary, as indicated by:

- A comprehensive report on Sanctuary uses prepared and distributed by the end of 2003.
- Outreach products and activities promoting sustainable uses developed and distributed/implemented by the end of 2005, and annually thereafter as necessary and appropriate.
- Increases in public awareness of appropriate and inappropriate uses of Sanctuary resources as determined by the awareness survey conducted in 2005.

NRP Outcome 3: By the end of 2007, the Sanctuary will have determined if it has a role to play in the protection of other resources not currently included in the Sanctuary, as indicated by:

- A list of potential resources to be added to the Sanctuary by the end of 2005.
- Initiation of the public review of the list of potential resources by the end of 2006.
- Initiation of a process, if needed, to add resources to the Sanctuary by the end of 2007.



Table 3: Summary of Natural Resource Protection Strategies and Activities

Strategies	Activities
<p>NRP-1: Assess and clarify the Sanctuary's role and responsibility in contingency planning, emergency response, and damage assessment activities.</p>	<p>A. Coordinate with NMSP headquarters, NMFS, and other appropriate parties to identify future Sanctuary efforts that will help support efforts of the Local Area Committee.</p> <p>B. Ensure that Sanctuary concerns are addressed in local area contingency and response plans, damage assessment efforts, and restoration projects, as appropriate.</p> <p>C. Have Sanctuary staff trained in and be capable of implementing the NMSP and other damage assessment and restoration protocols and procedures.</p>
<p>NRP-2: Enhance project and permit review procedures.</p>	<p>A. Analyze the existing MOU with NMFS and its implementation procedures to determine where operational enhancements can be made.</p> <p>B. Review and finalize the draft MOU with the State of Hawai'i and its implementation procedures to determine where operational enhancements can be made.</p> <p>C. Identify a point of contact on staff for permit review and consultations, and provide appropriate guidance and training.</p>
<p>NRP-3: Obtain and share relevant information on Sanctuary uses, use policies, and regulations.</p>	<p>A. Assess and monitor types, levels, and patterns of human use within the Sanctuary.</p> <p>B. Develop outreach materials aimed at enhancing public and agency awareness of Sanctuary resources and human uses within the Sanctuary.</p> <p>C. Collaborate with public and private organizations in promoting uses of the Sanctuary that are compatible with primary mandate of resource protection.</p>
<p>NRP-4: Reduce violations of Sanctuary regulations.</p>	<p>A. Maintain enforcement operations on Maui to deter violations.</p> <p>B. Determine baseline level of violations.</p> <p>C. Develop strategies to reduce violations.</p> <p>D. Assess long-term effectiveness of State regulations that protect humpback whales.</p> <p>E. Continue annual Ocean Users Workshop and expand target audiences.</p>
<p>NRP-5: Develop and implement a process that identifies and evaluates resources for possible inclusion in the Sanctuary.</p>	<p>A. Conduct review of resources already identified.</p> <p>B. Conduct a scoping process to identify additional resources for possible inclusion in the Sanctuary.</p> <p>C. Evaluate all candidate resources for national significance and assess the ability of the Sanctuary to protect those resources.</p> <p>D. Conduct further public and agency review of the findings in Activity C, and decide which resources, if any, will be added to the Sanctuary.</p> <p>E. Conduct the necessary and appropriate procedures to add resources to the Sanctuary, either during the next five-year review or at the appropriate time.</p>





## Strategies

### **NRP-1: ASSESS AND CLARIFY THE SANCTUARY'S ROLE AND RESPONSIBILITY IN CONTINGENCY PLANNING, EMERGENCY RESPONSE, AND DAMAGE ASSESSMENT ACTIVITIES.**

#### Strategy Summary

Strategy NRP-1 addresses Objectives 1.1 and 1.2 to improve its coordination with other Federal and State agencies to mitigate and prevent harm to Sanctuary resources by helping reduce threats of catastrophic events (e.g., oil or other hazardous material spills).

Section 4202 of the Oil Pollution Act of 1990 (OPA; 33 U.S.C. § 2701 *et seq.*) amended Subsection j of Section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321 (j)) to address the development of a National Planning and Response System. OPA called for the creation of planning teams to develop contingency plans to address oil and hazardous waste spills and responses. The National Response Team (NRT) is primarily a planning, policy, and coordination body, and does not respond directly to incidents. The NRT membership consists of 15 Federal agencies with responsibilities, interests, and expertise in various aspects of emergency response to pollution incidents and is responsible for developing a National Contingency Plan (NCP). EPA serves as the chair and USCG serves as vice-chair. The Oceania Regional Response Team (ORRT) is comprised of Federal and State (or Territory) representation. Like the NRT, the ORRT is mainly a planning, policy, and coordinating body, and does not respond directly to incidents. The ORRT has Federal and State representation. EPA and USCG co-chair the team. ORRT provides guidance and assistance to Area Committees and is responsible for developing Regional Contingency Plans (RCP).

As part of the National Planning Response and Planning System, Area Committees are to be established for each area designated by the President. These Area Committees are to be comprised of qualified personnel from Federal, State, and local agencies. Each Area Committee, under the direction of the Federal On-Scene Coordinator for the area, is responsible for developing an Area Contingency Plan (ACP) which, when implemented in conjunction with the NCP and RCP, shall be adequate to remove a worst case discharge of oil or a hazardous substance, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the geographic area. Each Area Committee is also responsible for working with State and local officials to pre-plan for joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife.

Title III of the Superfund Amendments and Reauthorization Act of 1986 is entitled the Emergency Planning and Community Right-to-Know Act (EPCRA; 42 U.S.C. 11001 *et seq.*). This Federal statute requires emergency response planning at the State and local level. The State of Hawai'i established a Hawai'i State Emergency Response Commission (HSERC) to comply with this requirement and designated DOH as the lead agency to implement the EPCRA. The HSERC was required to delineate emergency planning districts and appoint local emergency response committees to facilitate the preparation and implementation of local emergency plans. Hawai'i's four counties (Hawai'i, Honolulu, Maui and Kaua'i) represent the emergency



Figure 2: Timeframe of NRP Strategies and Activities

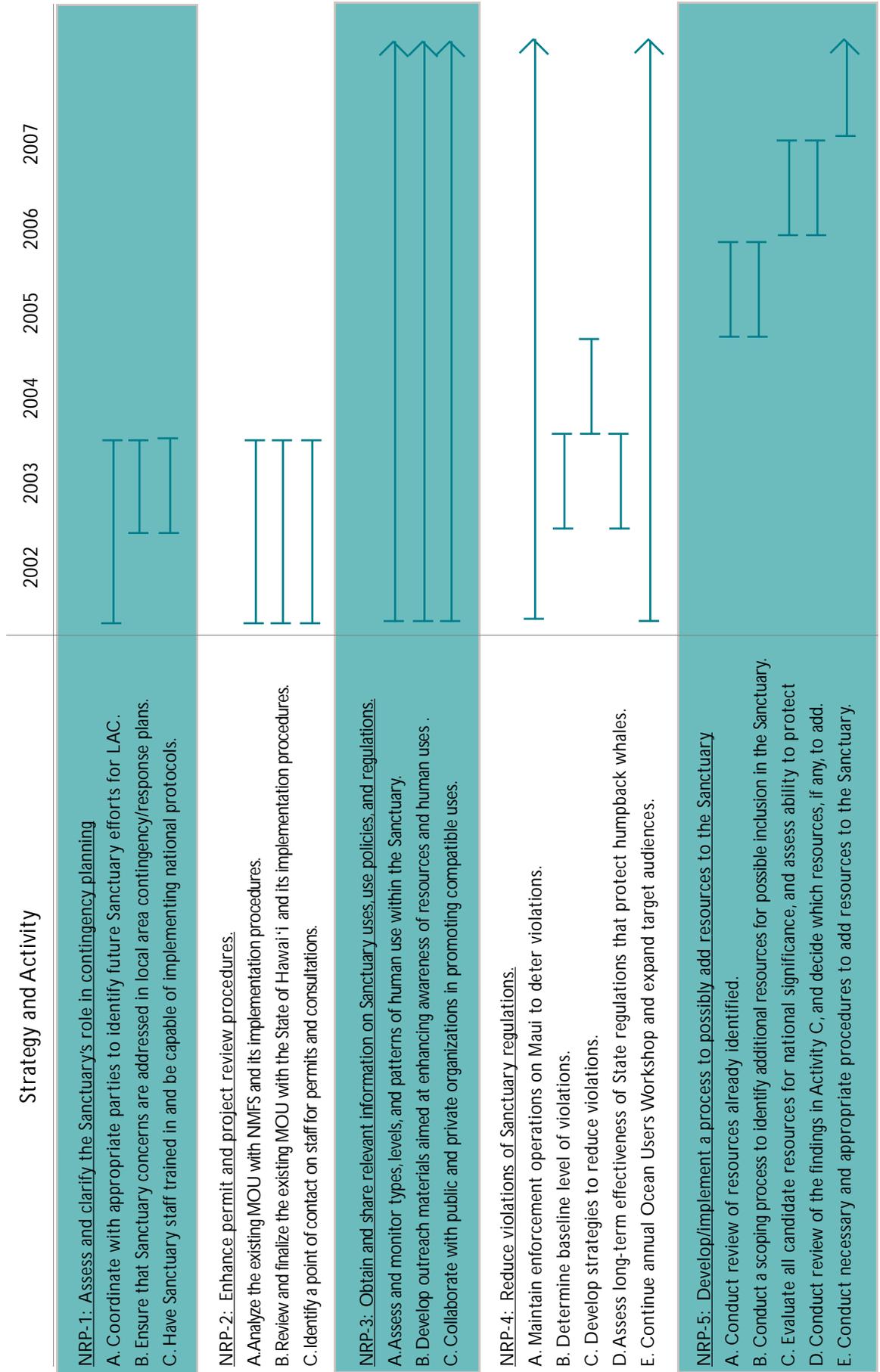


Figure 3: Costs of NRP Strategies and Activities

Strategy and Activity	Staff Time	Travel	Printing	Equipment	Contracts	Other
<p><u>NRP-1: Assess and clarify the Sanctuary's role in contingency planning</u>                      A. Coordinate with appropriate parties to identify future Sanctuary efforts for LAC.                      B. Ensure that Sanctuary concerns are addressed in local area contingency/response plans.                      C. Have Sanctuary staff trained in and be capable of implementing national protocols.</p>	✓ ✓ ✓					
<p><u>NRP-2: Enhance project and permit review procedures.</u>                      A. Analyze the existing MOU with NMFS and its implementation procedures.                      B. Review and finalize the existing MOU with the State of Hawai'i and its implementation procedures.                      C. Identify a point of contact on staff for permits and consultations.</p>	✓ ✓ ✓	✓ ✓				
<p><u>NRP-3: Obtain and share relevant information on Sanctuary uses, use policies, and regulations.</u>                      A. Assess and monitor types, levels, and patterns of human use within the Sanctuary                      B. Develop outreach materials aimed at enhancing awareness of resources and human uses.                      C. Collaborate with public and private organizations in promoting compatible uses.</p>	✓ ✓ ✓	✓	✓		✓	
<p><u>NRP-4: Reduce violations of Sanctuary regulations.</u>                      A. Maintain enforcement operations on Maui to deter violations.                      B. Determine baseline level of violations.                      C. Develop strategies to reduce violations.                      D. Assess long-term effectiveness of State regulations that protect humpback whales.                      E. Continue annual Ocean Users Workshop and expand target audiences.</p>	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓	✓ ✓		✓ ✓ ✓	office
<p><u>NRP-5: Develop/implement a process to possibly add resources to the Sanctuary</u>                      A. Conduct review of resources already identified.                      B. Conduct a scoping process to identify additional resources for possible inclusion in the Sanctuary.                      C. Evaluate all candidate resources for national significance, and assess ability to protect                      D. Conduct review of the findings in Activity C, and decide which resources, if any, to add.                      E. Conduct necessary and appropriate procedures to add resources to the Sanctuary.</p>	✓ ✓ ✓ ✓ ✓	✓ ✓	✓ ✓ ✓		✓ ✓	



planning districts for the State. The HSERC established a technical subcommittee to draft a State plan to provide statewide guidance on oil and hazardous substances emergency response. The result is Hawai'i's Oil and Hazardous Substances Emergency Response Plan. This management plan is incorporated in the Area Contingency Plan (ACP).

Contingency plans provide the basis under which agencies and individuals respond to oil spills, chemical releases, vessel groundings, and other events which may threaten natural resources and human life. As a resource trustee, the Sanctuary is involved in several levels of contingency planning with various State and Federal agencies at both the national and local level. The NCP provides the basic framework and organization under which all oil and chemical response efforts are conducted. It provides for a National Response Center, which acts as a nationwide notification and reporting point for all spill incidents, and defines the roles of the regional response teams, Federal and State on-scene coordinators, and special forces. The Regional Response Teams (RRT) are aligned within the boundaries of the Federally defined Regions and provide for large scale contingency planning and resolution of issues related to response actions at the Federal-State interface level. The regional response plans generally deal with strategic issues which affect large areas and cross many local jurisdictional boundaries. The Local Area Committees (LAC) are mandated by the Oil Pollution Act of 1990. The boundaries and size of these Local Areas vary from region to region, and generally tend to follow county or city boundaries in most areas. Some Local Areas have been delineated to coincide with the limits of Coast Guard Districts or Marine Safety Office areas. The Local Area Contingency plans are more detailed in nature and are tasked to consider several potential worst-case scenarios for the local area, making these plans tactical in scope and effect.

The NMSP is represented at both the regional and local levels by involvement in the RRT and LAC processes. The HIHWNMS seeks to improve its participation in local contingency planning efforts by supporting response efforts of the Federal, State, and local agencies within the boundaries of the Sanctuary. The activities contained in this strategy will clarify the Sanctuary's role in contingency planning and improve its emergency response and damage assessment capability.

### Activities

Activity A: Coordinate with NMSP headquarters, NMFS, USCG, and other appropriate parties to identify future Sanctuary efforts that will help to support response efforts of the LAC.

The Sanctuary staff will consult with personnel at NOAA, USCG, and other agencies to determine future Sanctuary activities with regard to existing contingency plans and procedures.

Activity B: Ensure that Sanctuary concerns are addressed in local area contingency and response plans, damage assessment efforts, and restoration projects, as appropriate.

Sanctuary staff will provide information to appropriate contacts, area contingency committee(s), and RRTs, including ensuring that the Sanctuary is included on notification lists for emergencies. Such information will then be used to ensure that Sanctuary concerns and responsibilities are considered in all such projects. This information may take the form of one page information sheets, maps of sensitive habitat areas, research reports, or other forms that provide technical information or policy information about the NMSP's damage assessment and restoration responsibilities as a trustee agency.

Activity C: Have Sanctuary staff trained in and be capable of implementing the national NMSP and other damage assessment and restoration protocols and procedures.





Such protocols will include tracking response, monitoring, and restoration costs, documenting the extent of damage to Sanctuary resources, etc. This will help ensure that the Sanctuary fulfills its damage assessment and restoration responsibilities.

### Estimated Timeframe

See Figure 2 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: two years, starting in 2002.
- Activity B: one year, starting in 2003.
- Activity C: one year, starting in 2003.

### Estimated Costs

See Figure 3 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time.
- Activity B: staff time.
- Activity C: staff time.

### Products

- Defined role for the Sanctuary in existing contingency plans, and response and restoration protocols.
- Improved damage assessment and restoration capability in the Sanctuary office.

### Partners

- DLNR/DOH, and other State of Hawai'i agency staff
- National Marine Fisheries Service
- U.S. Coast Guard
- Other resource trustee partners

### Related Strategies

- AD-1: Establish agreements for coordination among agencies and organizations relevant to Sanctuary management to better protect humpback whales and their habitat.
- AD-2: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.





## **NRP-2: ENHANCE PROJECT AND PERMIT REVIEW PROCEDURES.**

### Strategy Summary

Strategy NRP-2 addresses Objective 1.3 to enhance project and permit review procedures for activities that may impact humpback whales or their Sanctuary habitat.

NMFS and NOS have significant roles in the protection and management of humpback whales and their habitat in Hawai'i. NMFS has the responsibility for protection and management of humpback whale under the Marine Mammal Protection Act of 1972 (MMPA), as amended, and the Endangered Species Act of 1973 (ESA), as amended. NOS administers the Sanctuary under the NMSA. It is therefore essential that these two agencies function in close cooperation and coordination in carrying out the respective functions and responsibilities in the protection of the humpback whale and its habitat in Hawai'i.

In August 1995, NOS and NMFS signed a Memorandum of Understanding (MOU) concerning permits and consultations for activities that affect the HIHWNMS. This MOU set forth specific procedures by which NMFS's Office of Protected Resources and the NMSP will cooperate and coordinate on the issuance of permits and other authorizations with respect to consultations under the ESA, MMPA, and NMSA for activities that may affect humpback whales and their Sanctuary habitat. This MOU was developed to reduce agency duplication and establish a more coordinated NOAA response. The MOU states that NMFS would remain the lead agency, and will work closely with the Sanctuary Manager to incorporate Sanctuary concerns into permits issued under the ESA and MMPA.

The HIHWNMS will review existing procedures and protocols to ensure that the Sanctuary is providing effective and efficient support to NMFS in the review of ongoing and proposed activities that may affect humpback whales and their Sanctuary habitat.

In addition, the Sanctuary developed separate MOUs with NMFS and the State to establish mutually agreeable procedures for coordinated review of activities requiring permits for proposed activities that are subject to Sanctuary regulation (i.e. discharge and alteration of the seabed activities), and that may impact humpback whales or their habitat.

The Sanctuary's habitat regulations provides enhanced resource protection for the whales' habitat since violations of valid Federal or State permits, leases, licenses, or specific authorizations also constitute a violation of Sanctuary regulations. Any authorized discharge or alteration of the seabed activities will not be a violation of Sanctuary regulations as long as it is conducted in accordance with a permit. The Sanctuary's regulatory regime to protect humpback whale habitat provides a backdrop or safety net to existing authorities to ensure compliance with valid permits, leases and authorizations, and supplements the enforcement of permit violations and unlawful discharges or alteration of the seabed activities.

Because the Sanctuary's regulatory structure was designed so that the Sanctuary works within the existing review structures, it does not have independent authority to prevent discharge or alteration of the seabed activities permitted by other Federal and State agencies. The Sanctuary relies on these agreements to ensure that the Sanctuary's concerns are addressed through these permitting processes.





The Sanctuary will also review the MOUs that address the coordinated management for proposed activities requiring permits from NMFS and from the State that may impact humpback whales or their Sanctuary habitat.

### Activities

Activity A: Analyze the existing MOU with NMFS and its implementation procedures to determine where operational enhancements can be made.

Reviewing and, if necessary, revising the MOU will strengthen the relationship between the Sanctuary and NMFS, and help make review procedures more efficient and effective.

Activity B: Review and finalize the draft MOU with the State of Hawai'i and its implementation procedures to determine where operational enhancements can be made.

Reviewing and, if necessary, revising the MOU will strengthen the relationship between the Sanctuary and the State and help make co-management arrangements more efficient and effective.

Activity C: Identify a point of contact on staff for permit review and consultations and provide appropriate guidance and training.

### Estimated Timeframe

See Figure 4 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: up to two years, starting in 2002.
- Activity B: up to two years, starting in 2002.
- Activity C: up to two years, starting in 2002.

### Estimated Costs

See Figure 5 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time and travel.
- Activity B: staff time and travel.
- Activity C: staff time.

### Products

- Enhanced MOU implementation.
- Streamlined permit review and consultation procedures within the Sanctuary office.

### Partners

- DLNR/DOH, and other State of Hawai'i agency staff
- National Marine Fisheries Service





- NOAA and State of Hawai'i attorneys

Related Strategies

- AD-1: Establish agreements for coordination among agencies and organizations relevant to Sanctuary management to better protect humpback whales and their habitat.
- AD-3: Enhance the infrastructure of the Sanctuary.



## **NRP-3: OBTAIN AND SHARE RELEVANT INFORMATION ABOUT SANCTUARY USES, USE POLICIES, AND REGULATIONS.**



### Strategy Summary

Strategy NRP-3 addresses Objective 4.1, to gain a better understanding of the uses within the Sanctuary, who the users are, and the pattern and frequency of human use.

The Sanctuary will carry out efforts to gather data on different types of uses going on within the Sanctuary, who the users are, and the frequency of use. The Sanctuary needs this information to assess user impacts on the humpback whale and its habitat, and to make subsequent management decisions. The activities contained in this strategy will help the Sanctuary become more aware of how and where Sanctuary resources are being used and allow the Sanctuary to make better management decisions to protect Sanctuary resources. Such information will also be used to develop education programs geared toward specific user groups.

### Activities

**Activity A:** Assess and monitor types, levels, and patterns of human use within the Sanctuary.

This will entail the study and documentation of the various human activities occurring within the Sanctuary. As a result of this activity, the sanctuary and its partners will be provided with information on the types and levels of natural resource use occurring in Sanctuary waters and the possible positive and negative impacts of these activities on humpback whales and their habitat. The project will also generate baseline information for additional studies on the economic value and social and cultural significance of human activities in the Sanctuary.

**Activity B:** Develop outreach materials aimed at enhancing public and agency awareness of Sanctuary resources and human uses within the Sanctuary.

Drawing on the findings of Activity A above, this strategy will involve developing and using outreach products and activities to foster enhanced awareness and support of ocean uses that are compatible with the Sanctuary's main goal. Improved public understanding of activities that are not compatible with humpback whale protection will also be cultivated via this activity.

**Activity C:** Collaborate with public and private organizations in promoting uses of the Sanctuary that are compatible with the primary mandate of resource protection.

This activity, related to the two preceding it, will bring the Sanctuary community together with other agencies and groups with interests in sustainable ocean use to develop collaborative education and research programs that simultaneously promote socially valuable uses of the Sanctuary while continuing to effectively protect humpback whales and their habitat. Such collaboration might include development of shore-based whale watching programs, naturalist certification programs, and vessel operator training programs.





### Estimated Timeframe

See Figure 2 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: Throughout plan period.
- Activity B: Throughout plan period.
- Activity C: Throughout plan period.

### Estimated Costs

See Figure 3 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time.
- Activity B: staff time, printing, and possibly a contract.
- Activity C: staff time and travel.

### Products

- Report on uses in Sanctuary.
- Outreach materials.

### Partners

- DLNR and other State of Hawai'i agency staff
- NOAA and State of Hawai'i public affairs staff
- Sanctuary Advisory Council

### Related Strategies

- EO-1: Assess, enhance, and implement existing education and outreach programs.



## NRP-4: REDUCE VIOLATIONS OF SANCTUARY REGULATIONS.



### Strategy Summary

Strategy NRP-4 addresses Objective 3.2, to promote public stewardship and an ocean conservation ethic to help protect humpback whales and their habitat, by achieving voluntary compliance with applicable regulations protecting them.

The Sanctuary regulations essentially incorporate NMFS humpback whale approach regulations for Hawai'i and regulations that prohibit taking or possessing a humpback whale or parts thereof. Thus violations of the terms or conditions of NMFS whale approach regulations would also constitute a violation of the Sanctuary regulations. Sanctuary prohibitions would not apply if the activity is authorized under the MMPA or ESA. Specifically, the Sanctuary regulations include the following prohibitions:

- Approaching, or causing a vessel or other object to approach, within the Sanctuary, by any means, within 100 yards of any humpback whale except as authorized under the MMPA, as amended, 16 U.S.C. 1361 *et seq.*, and the ESA, as amended, 16 U.S.C. 1531 *et seq.*;
- Operating any aircraft above the Sanctuary within 1,000 feet of any humpback whale except when in any designated flight corridor for takeoff or landing from an airport or runway or as authorized under the MMPA and the ESA;
- Taking any humpback whale in the Sanctuary except as authorized under the MMPA and the ESA; and
- Possessing within the Sanctuary (regardless of where taken) any living or dead humpback whale or part thereof taken in violation of the MMPA or the ESA.

The Sanctuary aims to achieve resource protection for the humpback whale and its habitat by gaining voluntary compliance to prevent the occurrence of violations. Interpretive law enforcement emphasizes informing the public through educational messages and literature about responsible human behavior to prevent impacts to Sanctuary resources. The Sanctuary will address these issues by continuing a strong cooperative relationship with NOAA's Office for Law Enforcement (OLE) and its other Federal and State partners. Specifically, the Sanctuary will coordinate with OLE and other partners to maintain a seasonal on-site enforcement presence on Maui, to determine and assess the level and patterns of violations and by developing programs and projects to reduce violations through education, outreach, training, and enforcement.

NOAA will also work with other Federal and State resource management agencies, researchers, and Hawai'i ocean users to determine appropriate measures to address enforcement issues within the Sanctuary, including research and monitoring needs, training opportunities, and education and outreach efforts to prevent inadvertent violations of the law.

### Activities

Activity A: Maintain Sanctuary enforcement operations on Maui to deter violations.

The Sanctuary will continue to provide support to OLE to maintain a seasonal enforcement





presence on Maui to support education/interpretation activities, to deter violations of Sanctuary regulations, and to provide a quick response to any violations that do occur. The Sanctuary will work with OLE to develop enforcement operational plans that may include enforcement priorities, patrol schedules, procedures for documenting violations, boarding procedures, and information needs.

Activity B: Determine a baseline level of violations.

The Sanctuary will work with other Federal and State resource management agencies, research community, and Hawai'i ocean users to collect all relevant and available information and scientific data that will be used to more clearly define the level and pattern of Sanctuary violations and identify high use and sensitive areas. The Sanctuary will utilize the data results to assist in identifying areas of mutual concern and to develop effective resource protection strategies in response to enforcement issues.

Activity C: Develop strategies to reduce violations.

The Sanctuary will coordinate with OLE to develop strategies to reduce violations. These activities may include education and outreach products designed for Sanctuary users. The Sanctuary will also work with OLE, the State of Hawai'i, other Federal resource management agencies, and Hawai'i ocean users to develop a boater outreach program.

Activity D: Assess the long-term effectiveness of State regulations that protect humpback whales.

Humpback whales are protected as endangered species under Hawai'i State law (Chapter 195D, Hawai'i Revised Statutes) and regulations (Chapter 13-124, Hawai'i Administrative Rules). Under these regulations, no person may take, possess, process, sell, offer for sale, or transport any humpback whale or part thereof within the State without permission from the Hawai'i DLNR. Such permission (usually issued in the form of a scientific research permit) may only be granted for scientific purposes or to enhance the propagation or survival of the species. Compliance with all applicable federal laws and regulations (e.g., ESA, MMPA) is always required whenever such permission is granted. DLNR endeavors to consult with NMFS and the NMSP in granting any such permission. The Sanctuary will continue to participate in this consulting process to ensure that Sanctuary priorities and concerns are addressed to the maximum extent possible.

The State of Hawai'i also regulates the operation of commercial and recreational thrill craft, water sledding, parasailing vessels, and high-speed motor craft that operate in state waters, including state waters within the Sanctuary. Section 13-256-16 of the Hawai'i Administrative Rules (HAR) outlines the general provisions for thrill craft operations. Subsection (c), states, in part, "Thrill craft operations shall be curtailed in certain designated areas as described in subchapters two through eleven as necessary, to: 1) avoid possible adverse impacts on humpback whales or other protected marine life..." These protected areas are found in designated ocean recreation management areas (ORMA). In areas not designated as ORMAs, recreational thrill craft may only operate in waters between five hundred feet from the shoreline or the outer edge of the fringing reef whichever is greater to two miles off the islands of Kaua'i, O'ahu, Maui and Hawai'i. Section 13-256-18 of the HAR outlines rules for commercial thrill craft operations, commercial high speed boating and water sledding operations. Another rule, Section 13-256-112, HAR, curtails the use of thrill craft use in the waters





off Maui's western shores during the months of December through May specifically to protect humpback whales. These regulations are an important step by the State of Hawai'i to protect the humpback whale while in Hawaiian waters. The Sanctuary will work with the State, counties, and various interests to assess the long-term effectiveness of current and future laws, rules and regulations in protecting humpback whales from potential negative impacts posed by thrill craft, as well as other watercraft.

Activity E: Continue annual Ocean User Workshops and expand target audience.

In order to broaden the audience that is reached by this successful workshop, target attendees will be expanded to include commercial boaters and kayak and other concessions. Individuals, organizations, and companies that complete this workshop will receive training from the Sanctuary and certification that they successfully completed the training.

### Estimated Timeframe

See Figure 2 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: annually.
- Activity B: 2003.
- Activity C: 2004.
- Activity D: 2003.
- Activity E: annually.

### Estimated Costs

See Figure 3 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to cost include the following costs:

- Activity A: staff time and office space.
- Activity B: staff time and possible contract.
- Activity C: staff time, travel, printing, and possible contract.
- Activity D: staff time, travel, and possible contract.
- Activity E: staff time, travel, and printing.

### Products

- Violation baseline assessment.
- Database documenting violations and other whale-related incidents.
- Geographic information system data layers.
- Training/certification program.

### Partners

- DLNR and other State of Hawai'i agency staff
- NMFS
- U.S. Coast Guard





Related Strategies

- EO-1: Assess, enhance, and implement existing education and outreach programs.



## NRP-5: DEVELOP AND IMPLEMENT A PROCESS THAT IDENTIFIES AND EVALUATES RESOURCES FOR POSSIBLE INCLUSION IN THE SANCTUARY.



### Strategy Summary

NRP-5 addresses Objective 7.1, to evaluate other resources for possible inclusion in the Sanctuary.

The HINMSA (Section 2304(b)(4)) required the Sanctuary to identify and evaluate resources and ecosystems of national significance for possible inclusion in the Sanctuary. However, several factors have delayed the Sanctuary's ability to focus on efforts to implement a process to identify other marine resource or ecosystems of national significance. The Sanctuary will address this requirement in the next five years, following the process developed in the original management plan. Public support to include other marine species, such as sea turtles, other Hawaiian marine mammals, coral reefs, Hawaiian monk seals, and other endangered species as resources of the Sanctuary has been expressed at recent (i.e., 2001) meetings of the Sanctuary Advisory Council.

### Activities

Activity A: Conduct review of resources already identified.

A number of ecological, historical, and cultural resources were identified as possible Sanctuary resources, in addition to humpback whales and their habitat, during the Sanctuary's designation process. Priority will be given to review the resources that were identified in previous public meetings (from 1993 to 1995) and by the SAC. In examining these resources and their uses, the HINMSA will apply the Sanctuary designation standards described in the NMSA (§303(a)), consistent with the HINMSA. The following approach will be used by the Sanctuary in consultation with the SAC to assess whether other resources should qualify as Sanctuary resources and be included in the Sanctuary management regime.

1. Is the resource of special national significance? See NMSA §303(a)(2)(A) and §303(b)(1). If not, go to step 3.

2a. Are there *management gaps* which the NMSP can fill?

*Management gaps* for the purposes of this review will include any regulatory, administrative, or management deficiency. The review will specify whether the gaps result from shortfalls in regulatory authority or jurisdiction or from agency implementation constraints. Constraints may include, but are not limited to, limitations in non-regulatory management efforts such as education, research, monitoring, enforcement, and staffing. See NMSA §303(a)(2)(B),(D)]. If not, go to step 3.

2b. What are the management gaps and how can they be filled (research, monitoring, education, enforcement, regulation, staffing, etc.)? See NMSA §303(a)(2)(B),(D).

2c. Will the designation of the resource as a Sanctuary resource facilitate the objectives of the NMSA and the policies and purposes of the HINMSA? See NMSA §303(a)(1) and HINMSA §2304(b)(3).





3a. Should there be further study of the resource and its management because the resource may be of special national significance and suitable for Sanctuary management? If not, no further action is necessary.

3b. What other study is necessary to determine the significance of the resource and the need for additional management measures? Compile a list of research needs based upon this review.

Activity B: Conduct a scoping process to identify additional resources for possible inclusion in the Sanctuary.

This process will include holding meetings with the SAC, the public, and Federal and State agencies to help identify other resources for possible inclusion in the Sanctuary. Opportunities for general public comment will be provided at public meetings and also during an acceptance period of written public comments. A communications plan, including press releases and media packets, will be developed to support this process and help ensure wide public participation.

Activity C: Evaluate all candidate resources for national significance, and assess the ability of the Sanctuary to protect those resources.

The evaluation of resources for national significance will ensure that such resources are appropriate to be included in the Sanctuary under the requirements of the NMSA. The assessment of the ability of the Sanctuary to protect those resources will include feasibility and practicality of adding those resources, given current and projected funding and staff levels, and the effectiveness of the Sanctuary's existing programs.

Activity D: Conduct further public and agency review of the findings in Activity C, and decide which resources, if any, will be added to the Sanctuary.

Further public and agency review will be held prior to any action being taken to include additional resources, along with the proper resource protection and management regime, research, and education needs.

Activity E: Conduct the appropriate and necessary procedures to add resources to the Sanctuary, either during the next five-year review or at the appropriate time.

If necessary, a supplement to this management plan will be prepared and distributed for the review of proposed resources. The Sanctuary will work with the State of Hawai'i and other Federal agencies to assure that such additions are coordinated with the goals of these other agencies.

### Estimated Timeframe

See Figure 2 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: one year, starting in 2005.
- Activity B: one year, starting in 2005.
- Activity C: one year, starting in 2006.





- Activity D: one year, starting in 2006.
- Activity E: starting in 2007 and beyond.

### Estimated Costs

See Figure 3 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time.
- Activity B: staff time, travel, and possible contract.
- Activity C: staff time.
- Activity D: staff time, printing, and travel.
- Activity E: staff time, printing, and possible contract.

### Products

- Resource evaluation reports.
- Scoping comments and analysis.
- Potentially, description of resources to be added to Sanctuary.

### Partners

- DLNR and other State of Hawai'i agency staff
- NMFS
- U.S. Coast Guard and other Federal agency representatives
- Sanctuary Advisory Council

### Related Strategies

- AD-2: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.





## Education and Outreach Action Plan

### Introduction

Education and outreach programs have served as cornerstones of the Sanctuary. These programs, diverse in scope, content, and geographical coverage, have increased public awareness and provided other substantial benefits to local communities statewide. Of special value in many educational and outreach activities are volunteers who contribute unique skills and enthusiasm to accomplish a wide variety of important tasks. This action plan presents strategies (Table 4 and Figures 4 and 5) that will preserve the best of current education and outreach programs as well as build new, complementary programs to most effectively achieve Goal 3, *Enhance public awareness, understanding, and appreciation of humpback whales, their habitat, and the Sanctuary*. Program planning, development and implementation will be optimized through systematic assessment of program needs and opportunities, and regular evaluation of program performance.

### Outcomes and Performance Indicators

OE Outcome 1: By the end of 2006, the Sanctuary will enhance the protection of its resources by increasing awareness of its stewardship mission and fostering an ocean stewardship ethic, and will do so in a more effective manner, as indicated by:

- Increased awareness of and understanding of Sanctuary goals and other key facts and messages related to humpback whale protection and sustainable ocean use as shown by periodic surveys among educators, Sanctuary users and the general public (first survey completed by the end of 2004).
- A completed Strategic Education and Outreach Plan by end of 2004.
- A completed interpretive plan and/or handbook completed by end of 2005.

OE Outcome 2: By the end of 2007, the Sanctuary will clarify and augment its volunteer program, as indicated by:

- A completed volunteer handbook by end of 2004.
- A completed volunteer plan by end of 2005.
- Increasing numbers of volunteers and hours of volunteer participation increase throughout the plan period.
- Stable or increased satisfaction levels of volunteers as shown by surveys taken throughout the plan period.





Table 4: Summary of Education and Outreach Strategies and Activities

Strategies	Activities
EO-1: Develop and implement an education plan.	A. Assess, refine, and conduct workshops and training for educators. B. Assess, enhance, and provide education opportunities for ocean users regarding laws, rules, regulations, and practices. C. Assess, enhance, and provide opportunities for the public's participation in monitoring Sanctuary resources and uses. D. Assess, enhance, and provide education and interpretive opportunities for the public.
EO-2: Develop and implement additional education and outreach programs.	A. Identify and evaluate additional needs, opportunities, and roles for education and outreach. B. Develop and implement a strategic plan for additional education and outreach programs. C. Conduct periodic evaluation and revision of additional education and outreach programs.
EO-3: Support current functions and activities of the Sanctuary's volunteer program.	A. Promote and enhance current education, training, and appreciation opportunities for Sanctuary volunteers. B. Complete the Sanctuary volunteer handbook.
EO-4: Provide additional opportunities for volunteer participation in Sanctuary activities and events.	A. Identify and provide opportunities for increased volunteer participation in Sanctuary programs. B. Develop a plan that describes strategies and actions to enlist the aid of volunteers on all the islands.

**Strategies**

**EO-1: ASSESS, ENHANCE, AND IMPLEMENT EXISTING EDUCATION AND OUTREACH PROGRAMS**

Strategy Summary

Strategy EO-1 address Objectives 3.1, 3.2, 3.4, and 3.5 to conduct and enhance education and outreach programs.

Continued implementation of successful Sanctuary education and outreach programs will help maintain the momentum of informed community participation in ocean stewardship, community service, and volunteer activities beneficial to the Sanctuary, its resources, and the people of Hawai'i. This strategy is aimed at maintaining the most effective aspects of existing programs while adapting and further optimizing these education and outreach efforts. The inter-related activities identified to implement this strategy entail assessing, improving, conducting, and evaluating the full range of existing successful programs utilizing input, guidance, and contributions from a variety of Sanctuary partners.





## Activities

**Activity A:** Assess, refine, and conduct workshops and training opportunities for educators and facilitate efforts to teach others about Hawai'i's humpback whales, Hawai'i's marine environment, and ocean stewardship.

Sanctuary education and outreach programs that are directed toward Hawai'i's educators can be extremely effective in ultimately reaching a very large percentage of the population. Programs that have shown great promise include a variety of Educator's Workshops that provide materials and help teachers build skills that can be used to effectively teach marine science and promote ocean stewardship among Hawai'i's youth. Sanctuary efforts to provide materials and information to educators via broadcast and print media, and the Internet have also shown great potential to foster a generation that embraces sustainable ocean resource use and stewardship. This activity will begin by assessing the effectiveness of these programs with careful consideration given to current levels of educator awareness and the needs and roles of the Sanctuary in the broader, often changing governmental, environmental, and social contexts. Priority will be given to adapting curriculum materials to address and meet a wide array of State of Hawai'i Department of Education curriculum standards. The results of the assessment will be used to modify the nature and scope of existing programs as needed and to best carry out the programs once they are so modified.

**Activity B:** Assess, enhance, and provide education opportunities for ocean users regarding laws, rules, regulations, practices, and responsible wildlife viewing guidelines relating to protected marine species and use of Sanctuary waters.

Research suggests that a large majority of ocean users are very willing to follow ocean conservation and management laws and regulations once they understand the reasons that underlie them. The Sanctuary has made great strides in promoting this understanding among a wide range of Sanctuary users. The Ocean Users' Workshops, held annually on Kaua'i, O'ahu, Maui and the Big Island, have been conducted to inform commercial ocean tour operators and recreational boaters of the Federal humpback whale approach rule and other Federal and State laws and regulations related to marine resources management and conservation. The Sanctuary has also worked with NOAA's Office of Law Enforcement to conduct community-oriented outreach activities aimed at reducing violations of these protection measures. The Sanctuary has also partnered with the National Marine Fisheries Service's Office of Protected Resources to help promote a Watchable Wildlife Campaign to promote responsible public enjoyment of Hawai'i's marine wildlife. Via this strategy, these and other related programs will be adapted as needed to continue to foster a ocean user community that is aware of and supports existing legal and regulatory conservation measures. Successful completion of this activity will also follow the process of integrated program assessment of existing public awareness and Sanctuary program effectiveness, refinement, implementation, and evaluation discussed in Activity A above.

**Activity C.** Assess, enhance, and provide opportunities for the public's participation in monitoring sanctuary resources and uses within the Sanctuary.

Many people who value the Sanctuary are eager to find ways they can meaningfully learn from and contribute to marine science and environmental research. The programs discussed in this





strategy will be designed to be integrated with the Sanctuary's Research and Monitoring Action Plan, with the intention of further strengthening linkages between Sanctuary research and monitoring and education and outreach programs. Existing programs that have proven successful in this area include the Sanctuary Ocean Count, Educators Workshops, and various lecture series held around the state. The cyclical process of assessment, refinement, implementation, and evaluation will also be utilized in this strategy.

Activity D. Assess, enhance, and provide education and interpretation opportunities for the public on humpback whales, the marine environment, and ocean stewardship.

While the strategies discussed above focus on education and outreach for educators, improved awareness of the laws and regulations, and public participation in research and monitoring, the Sanctuary also sees an important need to provide general education and outreach to all sectors of the general public. This strategy is to a certain extent a "catch all" strategy for a very wide range of education and outreach programs from which virtually any member of the public might benefit. Many of these programs are best characterized as natural history interpretation. Sanctuary sponsorship of the Annual Kaua'i Family Ocean Fair and participation in other public events throughout the state exemplifies programs covered under this strategy. Facilitating articles and stories in print and broadcast media; publishing and distributing the Sanctuary newsletter, brochures and other materials; and providing daily public access to various interpretive displays and materials at the Sanctuary Education Center on Maui and other Sanctuary offices, are other important examples of programs considered under this strategy. Here again, the Sanctuary will endeavor to build on the best of existing general education and outreach efforts by employing a cyclical assessment, refinement, implementation and evaluation process.

### Estimated Timeframe

See Figure 4 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: First assessments and enhancements completed by end of 2003, refined programs implemented throughout plan period.
- Activity B: First assessments and enhancements completed by end of 2003, refined programs implemented throughout plan period.
- Activity C: First assessments and enhancements completed by end of 2003, refined programs implemented throughout plan period.
- Activity D: First assessments and enhancements completed by end of 2003, refined programs implemented throughout plan period.

### Estimated Costs

See Figure 5 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time, travel, printing, equipment, contracts, and in-kind support from partner agencies.
- Activity B: staff time, travel, printing, equipment, contracts, and in-kind support from partner agencies.



Figure 4: Timeframe of EO Strategies and Activities

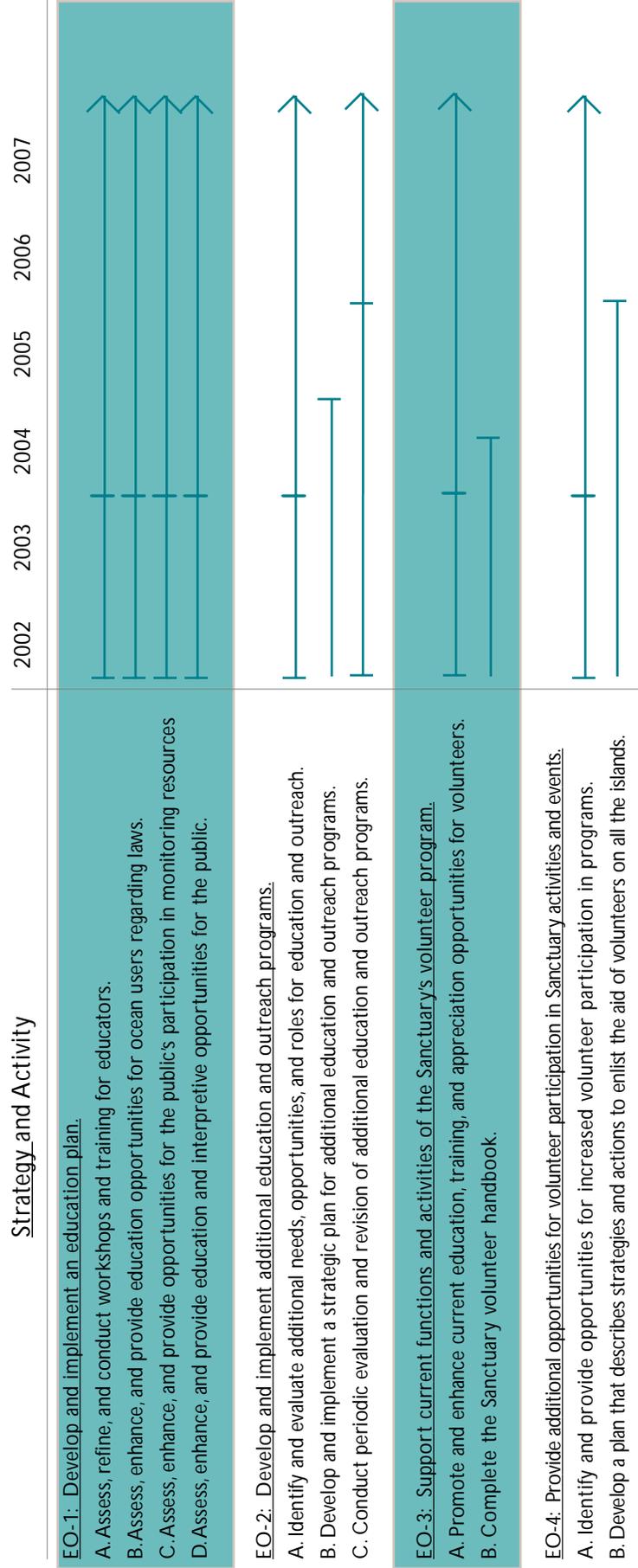


Figure 5: Costs of EO Strategies and Activities

Strategy and Activity	Staff Time	Travel	Printing	Equipment	Contracts	Other
<p><u>EO-1: Develop and implement an education plan.</u>                      A. Assess, refine, and conduct workshops and training for educators.                      B. Assess, enhance, and provide education opportunities for ocean users regarding laws.                      C. Assess, enhance, and provide opportunities for the public's participation in monitoring resources                      D. Assess, enhance, and provide education and interpretive opportunities for the public.</p>	<p>✓                      ✓                      ✓                      ✓</p>	<p>In-kind support                      In-kind support                      In-kind support                      In-kind support</p>				
<p><u>EO-2: Develop and implement additional education and outreach programs.</u>                      A. Identify and evaluate additional needs, opportunities, and roles for education and outreach.                      B. Develop and implement a strategic plan for additional education and outreach programs.                      C. Conduct periodic evaluation and revision of additional education and outreach programs.</p>	<p>✓                      ✓                      ✓</p>	<p>✓                      ✓                      ✓</p>	<p>✓</p>		<p>✓                      ✓                      ✓</p>	
<p><u>EO-3: Support current functions and activities of the Sanctuary's volunteer program.</u>                      A. Promote and enhance current education, training, and appreciation opportunities for volunteers.                      B. Complete the Sanctuary volunteer handbook.</p>	<p>✓                      ✓</p>	<p>✓                      ✓</p>	<p>✓</p>		<p>✓                      ✓</p>	<p>In-kind support</p>
<p><u>EO-4: Provide additional opportunities for volunteer participation in Sanctuary activities and events.</u>                      A. Identify and provide opportunities for increased volunteer participation in programs.                      B. Develop a plan that describes strategies and actions to enlist the aid of volunteers on all the islands.</p>	<p>✓                      ✓</p>	<p>✓                      ✓</p>	<p>✓                      ✓</p>		<p>✓                      ✓</p>	<p>In-kind support</p>





- Activity C: staff time, travel, printing, equipment, contracts, and in-kind support from partner agencies.
- Activity D: staff time, travel, printing, equipment, contracts, and in-kind support from partner agencies.

### Products

- Educator workshops.
- Interpretive displays and signage.
- Handbooks for educators.
- Handbooks for ocean users.
- Public events.
- Event reports.
- Educational materials (e.g., posters, brochures, etc.).
- Educational curriculum.
- News, magazine, and newsletter articles.
- Broadcast media coverage.
- Lecture Series.
- Videotapes of Sanctuary lectures.
- Public broadcasts of lectures.
- Program evaluation reports.
- Website updates and upgrades.

### Partners

- U.S. Fish and Wildlife Service, Kealia Pond National Wildlife Refuge
- U.S. Fish and Wildlife Service, Kilauea Point National Wildlife Refuge
- Haleakala National Park
- Hawai'i DLNR
- Hawai'i Department of Education
- Other Federal, State, and local government agencies with educational missions
- Academic institutions and schools
- Education and environmental non-governmental organizations
- Sanctuary Advisory Council

### Related Strategies

- NRP-4: Reduce violations of Sanctuary regulations.
- RM-4: Enhance communications among researchers, between researchers and resource managers, and between researchers and the general public.



## EO-2: DEVELOP AND IMPLEMENT ADDITIONAL EDUCATION AND OUTREACH PROGRAMS



### Strategy Summary

The Sanctuary recognizes that in addition to refined versions of existing efforts, overall effectiveness should be augmented with the introduction of entirely new education and outreach programs. This strategy is composed of activities that promote systematic development and implementation of these additional programs. An important product resulting from this strategy will be a mid-range (3-5 year) strategic education and outreach plan providing guidance for the entire Sanctuary education and outreach program. Of special importance in Sanctuary education and outreach is interpretive information on the Sanctuary program, its resources, impacts on resources by humans, and other topics which are provided by staff, volunteers, and other interactive or static means. Among other areas of focus, the strategic education and outreach plan will provide guidance on developing and delivering the most effective and appropriate interpretive methods and messages for Sanctuary visitors.

This strategy addresses Objectives 3.3 and 3.6, to conduct education and outreach programs.

### Activities

Activity A: Identify and evaluate additional needs, opportunities, and roles for education and outreach.

This activity will consider effectiveness assessments of existing education and outreach programs conducted in Strategy EO-1, further assessments of existing interpretive facilities and resources; and analysis of education plans and programs of other state, national, and international protected areas and organizations to identify needs, opportunities and appropriate roles of additional Sanctuary education and outreach programs.

Activity B: Develop and implement a strategic plan for additional education and outreach programs.

This activity will entail the design, development, and implementation of specific programs that address the roles, needs, and opportunities identified via the activity above. The strategic plan will present descriptions of new programs including: (1) critical evaluation of the effectiveness of current and proposed sanctuary projects and the sanctuary's role in education and outreach in Hawai'i; (2) strategies for improved cooperation between other education and outreach agencies; (3) strategies for improved overall effectiveness and results; (4) guidance for optimal alignment of the Sanctuary's program with national and state education standards; (5) ways to achieve improved coordination and expanded benefits to Hawai'i's people of other national education plans and programs; and (6) criteria for accurate and measurable indicators of program performance.

Activity C: Conduct periodic evaluation and revision of additional education and outreach programs.

To ensure maximum effectiveness of Sanctuary education and outreach programs over the long-





term, this activity will entail their periodic review, evaluation, and revision. Performance indicators that are linked to assessments and surveys of improved public awareness and understanding will be considered in the review, evaluation, and revision process.

### Estimated Timeframe

See Figure 4 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: First iteration completed by end of 2003, annual completion thereafter.
- Activity B: Strategic plan completed by end of 2004; new programs initiated throughout plan period.
- Activity C: First iteration completed by end of 2005; annual completion thereafter.

### Estimated Costs

See Figure 5 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to cost the about following amounts:

- Activity A: staff time, travel, and contract.
- Activity B: staff time, travel, printing, and contract.
- Activity C: staff time, travel, and contract.

### Products

- A strategic plan and other planning documents for Sanctuary's education and outreach programs.
- Plan or handbook for the Sanctuary's interpretive activities.
- New education and outreach programs.

### Partners

- Other agencies engaged in education and outreach in Hawai'i
- Interpretive specialists and organizations
- Sanctuary Advisory Council
- NMSP/NOAA/NOS education and outreach staff
- Sanctuary volunteers
- Sanctuary Advisory Council
- National Marine Sanctuary Foundation



## EO-3: SUPPORT CURRENT FUNCTIONS AND ACTIVITIES OF THE SANCTUARY'S VOLUNTEER PROGRAM



### Strategy Summary

The Sanctuary's goals and objectives cannot be realized without volunteer support. Current volunteers are members of the community including residents and visitors, students and senior citizens. They come from many different backgrounds and bring a variety of skills and gifts to the sanctuary. Their diversity is one of the Sanctuary's greatest assets. Continual support of the functions and activities of the volunteers will promote understanding, appreciation, and involvement in Sanctuary activities that promote the protection of the humpback whale and its habitat.

This strategy addresses Objectives 6.3 and 6.4, to encourage volunteer participation in Sanctuary programs.

### Activities

Activity A: Promote and enhance current education, training, and appreciation opportunities for Sanctuary volunteers.

This activity is intended to help maintain and strengthen existing efforts of the Sanctuary's Volunteer Coordinator and other staff to provide an attractive and diverse set of opportunities for Sanctuary volunteers. Existing programs and activities will be periodically assessed and refined as needed to achieve most effective implementation. Current opportunities considered in this activity include those offered at the Maui Sanctuary headquarters and Education Center and the island liaison and state offices, and through the intern program for high school and college level students.

Activity B: Complete the Sanctuary volunteer handbook.

In consultation and coordination with NMSP headquarters and the national Team Ocean volunteer program, the Sanctuary will produce a handbook for volunteers. The handbook will provide information and guidance on a range of topical, logistical, procedural, and administrative matters relevant to effectively serving as a Sanctuary volunteer.

### Estimated Timeframe

See Figure 4 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: Throughout plan period; 1<sup>st</sup> refinement completed by end of 2003.
- Activity B: Completed by end of 2004.

### Estimated Costs

See Figure 5 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:





- Activity A: staff time, travel, contract, and in-kind support from partners.
- Activity B: staff time, travel, printing, and contract.

### Products

- Continued and refined volunteer activities and opportunities.
- Volunteer handbook.
- Appreciation events.

### Partners

- Volunteers
- Team Ocean
- Sanctuary Advisory Council
- National Marine Sanctuary Foundation



## EO-4: PROVIDE ADDITIONAL OPPORTUNITIES FOR VOLUNTEER PARTICIPATION IN SANCTUARY ACTIVITIES AND EVENTS



### Strategy Summary

Sanctuary volunteers enhance the ability of staff to reach diverse segments of the community and increased numbers of the public. Volunteer efforts, which include collaboration with other community groups and organizations, lead to success in achieving common goals and mutual benefits. Volunteer activities can also enhance the sense of stewardship of the marine environment, humpback whales, and their habitat. At the same time, participation by volunteers in the Sanctuary program expands public knowledge of marine resource protection challenges and may increase funding opportunities. This strategy seeks to develop and implement new ways in which volunteer can contribute to and benefit from the Sanctuary. Special effort will be directed to expand volunteerism to better cover all the main Hawaiian Islands.

This strategy addresses Objectives 6.3 and 6.4, to encourage volunteer participation in Sanctuary programs.

### Activities

Activity A: Identify and provide opportunities for increased volunteer participation in Sanctuary programs.

This activity will take into consideration the assessments of existing programs conducted in Strategy EO-3 to identify, develop, and implement new volunteer programs and activities. It will entail extensive communication and coordination with other local and national volunteer oriented programs. Developing and implementing a Sanctuary volunteer intern program will be a priority component of this activity.

Activity B: Develop a plan that describes strategies and actions to enlist the aid of volunteers on all the islands.

Drawing on the results of Activity A above, a plan will be developed to keep new volunteer opportunities as effective, diverse, and widespread as possible over the long-term. The plan will present strategies and actions for a wide variety of types and levels of volunteer involvement, and include performance indicators to measure program success and volunteer satisfaction.

### Estimated Timeframe

See Figure 4 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: First iteration completed by end of 2003, annual completion thereafter.
- Activity B: Volunteer plan completed by the end of 2005.

### Estimated Costs

See Figure 5 for an overview of the anticipated costs of these strategies. In general each of





the activities in this strategy are expected to include the following costs:

- Activity A: staff time, travel, printing, contract, and in-kind support from partners.
- Activity B: staff time, travel, printing, and contract.

### Products

- New volunteer programs and activities.
- Strategic Sanctuary Volunteer Plan.

### Partners

- Local universities and community colleges
- Local marine science organizations
- Sanctuary volunteers
- Team Ocean
- Sanctuary Advisory Council
- National Marine Sanctuary Foundation
- Other volunteer organizations

### Related Strategies

- AD-3: Enhance the staffing and personnel resources of the Sanctuary.



## Research and Monitoring Action Plan



### Introduction

Research and long-term monitoring are essential to achieving the Sanctuary's primary goal. Although past research efforts have made significant advances in characterizing and monitoring humpback whales and their habitat, many unanswered questions and unknowns concerning habitat requirements, population size, distribution and dynamics, threats and impacts, and other important biological and ecological parameters remain.

This action plan provides research and long-term monitoring strategies intended to help answer and clarify pressing scientific questions and unknowns. The interrelated strategies presented below are designed to (1) assess and monitor important population parameters of humpback whales and their endangered species recovery status; (2) assess and monitor the ecological condition of humpback whale habitat; (3) differentiate between natural and anthropogenic impacts on the whales and their habitat; (4) inform the development and implementation of effective conservation and management strategies; and (5) effectively administer and communicate the results of Sanctuary supported research projects.

This action plan provides the strategies (Table 5 and Figures 6 and 7) that will be used to facilitate research and monitoring in the Sanctuary. The following sections discuss each strategy in detail. This action plan responds to Goal 2: *Promote and coordinate research to enhance the understanding of humpback whales and their habitat and to improve management decision-making.*

### Outcomes and Performance Indicators

RM Outcome 1: By the end of 2005, the Sanctuary will maintain and improve its use of research and monitoring information in its decision-making processes, as indicated by:

- Periodic reports/estimates of humpback whale abundance in the main Hawaiian Islands.
- A completed research study on threats by the end of 2004.
- A completed workshop on threats completed by the end of 2005.
- A more prominent role for the SAC in providing recommendations related to research and monitoring.

RM Outcome 2: By the end of 2006, the Sanctuary will have improved its administration and promotion of research and monitoring projects, as indicated by:

- Increased numbers of research results published in peer-reviewed publications by the end of 2006.
- Developed data storage and management system(s) by the end of 2006.
- Improved coordination of research and monitoring activities with education and outreach activities.



Table 5: Summary of Research and Monitoring Strategies and Activities

Strategies	Activities
RM-1: Characterize and monitor the central North Pacific stock of humpback whales.	<p>A. Continue to monitor and estimate the numerical abundance of humpback whales in the main Hawaiian Islands.</p> <p>B. Continue to examine and describe the spatial and temporal aspects of humpback whale distribution, movement, and demography in the main Hawaiian Islands.</p> <p>C. Continue to examine and describe the humpback whale life cycle, and the nature, frequency, and function of humpback whale behavior.</p>
RM-2: Characterize and monitor whale habitat, including natural and anthropogenic factors affecting them both.	<p>A. Monitor potential threats and impacts to humpback whales and their habitat.</p> <p>B. Conduct studies to assess effects of new or increased levels of human activity on humpback whales within and around the Sanctuary.</p> <p>C. Maintain a data and information system to store humpback whale research data.</p>
RM-3: Improve the administration of research projects.	<p>A. Establish administrative procedures of identifying, selecting, funding, and managing research projects.</p> <p>B. Determine the role of the SAC in research planning.</p> <p>C. Conduct ongoing project evaluation and management review to regularly update research needs and priorities.</p>
RM-4: Enhance communications among researchers, resource managers, and the public.	<p>A. Create opportunities for facilitating communication with research and education communities, user groups, and the public.</p>

## Strategies

### RM-1: CHARACTERIZE AND MONITOR THE CENTRAL NORTH PACIFIC STOCK OF HUMPBACK WHALES.

#### Strategy Summary

A primary goal of the Sanctuary's research and monitoring program is to improve understanding of the central North Pacific population of humpback whales and their wintering habitat. The Sanctuary will work to further develop and support comprehensive studies and surveys needed to better understand the humpback whale's population dynamics in breeding areas around the main Hawaiian Islands. The Sanctuary will seek to improve baseline information on a variety of important characteristics of humpback whale biology (e.g., abundance, distribution, movement, behavior, age at sexual maturity, pregnancy rates, variability in reproductive success, calving intervals, age-specific mortality and survivorship rates, longevity, and interrelationships with its Hawaiian habitat).

This strategy addresses Objective 2.1, to develop a detailed research and monitoring plan.



NATIONAL MARINE  
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## Activities

Activity A: Continue to monitor and estimate the numerical abundance of humpback whales in the main Hawaiian Islands.

To assist in stock assessment and related abundance measurements, the frequency and spatial coverage of aerial, vessel-based, and shore-based surveys should be increased. Other remote sensing and acoustical methods of measuring abundance should be examined.

Activity B: Continue to examine and describe the spatial and temporal aspects of humpback whale distribution, movement and demography in the main Hawaiian Islands.

Priority projects should examine and characterize (1) spatial distribution of whales in and around the Sanctuary at regular time intervals during the “whale season” (November through April); (2) temporal and spatial characteristics of the migratory parade to and from Hawai‘i; and (3) variation in population demographics between habitats, in terms of sex, age and reproductive status.

Activity C: Continue to examine and describe the humpback whale life cycle, and the nature, frequency, and function of humpback whale behavior.

Priority research areas are: (1) effects of sex and reproductive status on individual whale movements; (2) characteristics and functions of social groupings; (3) long-term monitoring, using mark-recapture and other techniques, to identify and track individual whales to better understand life history, longevity and other demographic characteristics; (4) acoustic communication, including “singing,” mother-calf vocal exchanges and other social sounds; and (5) mortality rates and calving intervals.

## Estimated Timeframe

See Figure 6 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: throughout the plan period.
- Activity B: throughout the plan period.
- Activity C: throughout the plan period.

## Estimated Costs

See Figure 7 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time, equipment, and research contracts.
- Activity B: staff time, equipment, and research contracts.
- Activity C: staff time, equipment, and research contracts.

## Products

- Research reports.



Figure 6: Timeframe of RM Strategies and Activities

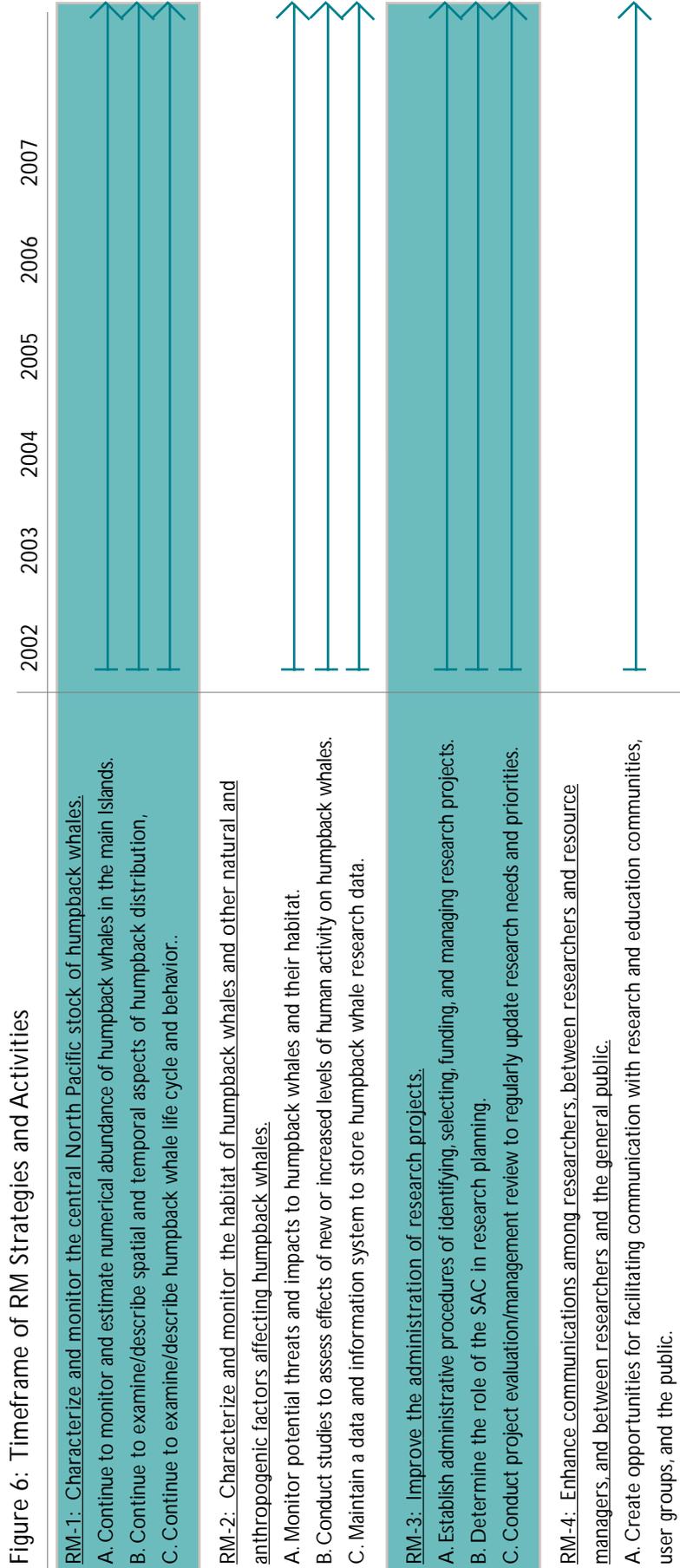


Figure 7: Costs of RM Strategies and Activities

	Staff Time	Travel	Printing	Equipment	Contracts	Other
<p><u>RM-1: Characterize and monitor the central North Pacific stock of humpback whales.</u></p> <p>A. Continue to monitor and estimate numerical abundance of humpback whales in the main Islands.                      B. Continue to examine/describe spatial and temporal aspects of humpback distribution,                      C. Continue to examine/describe humpback whale life cycle and behavior.</p>	<p>✓                      ✓                      ✓</p>			<p>✓                      ✓                      ✓</p>	<p>✓                      ✓                      ✓</p>	
<p><u>RM-2: Characterize and monitor the habitat of humpback whales and other natural and anthropogenic factors affecting humpback whales.</u></p> <p>A. Monitor potential threats and impacts to humpback whales and their habitat.                      B. Conduct studies to assess effects of new or increased levels of human activity on humpback whales.                      C. Maintain a data and information system to store humpback whale research data.</p>	<p>✓                      ✓                      ✓</p>			<p>✓                      ✓                      ✓</p>	<p>✓                      ✓                      ✓</p>	
<p><u>RM-3: Improve the administration of research projects.</u></p> <p>A. Establish administrative procedures of identifying, selecting, funding, and managing research projects.                      B. Determine the role of the SAC in research planning.                      C. Conduct project evaluation/management review to regularly update research needs and priorities.</p>	<p>✓                      ✓                      ✓</p>					
<p><u>RM-4: Enhance communications among researchers, between researchers and resource managers, and between researchers and the general public.</u></p> <p>A. Create opportunities for facilitating communication with research and education communities, user groups, and the public.</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>		<p>✓</p>	





- Distribution maps and geographic information system layers.
- Video and still images of habitat and resources.
- Acoustic data.
- Source information and images for education and outreach materials.
- Lecture series.

### Partners

- DLNR and other State of Hawai'i agency staff
- National Marine Fisheries Service
- Sanctuary Advisory Council
- Academic institutions
- Other non-governmental and non-academic organizations conducting scientific research

### Related Strategies

- EO-1: Assess, enhance, and implement existing education and outreach programs.



## **RM-2: CHARACTERIZE AND MONITOR THE HABITAT AND BEHAVIOR OF HUMPBACK WHALES INCLUDING THE NATURAL AND ANTHROPOGENIC FACTORS AFFECTING THEM.**



### Strategy Summary

The Sanctuary will direct efforts to monitor humpback whales and their habitat to help detect and determine the probable or possible causes of changes (natural and human-caused) that may affect humpback whales including distinct changes in their distribution, abundance, age-sex composition, and habitat use patterns. Program efforts may also incorporate experimental designs that can help discern future changes and trends in the vital parameters and the important habitats and habitat components of the humpback population that winters in the Hawaiian Islands.

This strategy addresses Objective 2.1, to help develop a detailed research and monitoring program.

### Activities

Activity A: Monitor potential threats and impacts to humpback whales and their habitat.

Support systematic research of vessel traffic and acoustic impacts on humpback whale behavior and distribution. Studies will investigate cause and effect relationships of how noise, and vessel or aircraft movement, speed, type, and density impact humpback whales. Specifically, the Sanctuary will examine new techniques to determine hearing thresholds of humpback whales, monitor the effects of increased ship and ferry activity on the behavior of humpback whales, and investigate new techniques to detect whales in front of ships and ferries.

Activity B: Conduct studies to assess effects of new or increased levels of human activity on humpback whales within and around the Sanctuary.

A research study and workshop will be conducted to assess current threats to humpback whales within and around the Sanctuary.

Activity C: Maintain a data and information system to store humpback whale research data.

The Sanctuary will work with researchers and government agencies to determine the best way to facilitate research information storage and retrieval.

### Estimated Timeframe

See Figure 6 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: Throughout the plan period.
- Activity B: Throughout the plan period.
- Activity C: Throughout the plan period.





## Estimated Costs

See Figure 7 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time, equipment, and research contracts.
- Activity B: staff time, equipment, and research contracts.
- Activity C: staff time, equipment, and research contracts.

## Products

- Research reports.
- Data storage and management systems.
- Workshops.

## Partners

- DLNR and other State of Hawai'i agency staff
- National Marine Fisheries Service and other Federal agency staff
- Sanctuary Advisory Council
- Academic institutions



### RM-3: IMPROVE THE ADMINISTRATION OF RESEARCH PROJECTS.



#### Strategy Summary

Strategy RM-3 addresses the Sanctuary's Objective 2.2 to improve the administration of Sanctuary-funded research projects. The Sanctuary will work to establish procedures for identifying, selecting, and sponsoring research projects to ensure that the research topics are responsive to management concerns and that research results contribute to improved management decision-making in the Sanctuary.

#### Activities

Activity A: Establish administrative procedures of identifying, selecting, funding, and managing research projects.

The Sanctuary will hire a research coordinator to draft Sanctuary Requests for Proposals, establish selection criteria for research projects, establish policies to prevent conflict of interest, establish reporting and publishing guidelines, monitor the quality of ongoing research, and distribute preliminary findings for peer review (including select SAC members).

The Sanctuary will also consult with NMFS and the National Marine Mammal Laboratory to ensure that the proposed research is consistent with the objectives of other NOAA humpback whale research efforts in the Pacific.

Activity B: Determine the role of the SAC in research planning.

Clarify the SAC's and the SAC Research Working Group's role for providing advice on the identification, selection, and sponsorship of Sanctuary research projects.

Activity C: Conduct ongoing project evaluation and management review to regularly update research needs and priorities.

The Sanctuary will develop a process to annually evaluate the effectiveness and efficiency of Sanctuary research projects and its integration with other resource protection and education objectives.

The Sanctuary will also coordinate with NMFS Pacific Islands Area Office and the State of Hawai'i to monitor humpback whale research in the Sanctuary. The Sanctuary will assist NMFS and the State of Hawai'i, as necessary, to maintain records of all current research, equipment being used on the site, frequency of researchers' visits to the site, and progress to date on each current research project.

#### Estimated Timeframe

See Figure 6 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: Throughout the plan period.





- Activity B: Throughout the plan period.
- Activity C: Throughout the plan period.

### Estimated Costs

See Figure 7 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time.
- Activity B: staff time.
- Activity C: staff time.

### Products

- Annual research and monitoring work plans.
- Annual research and monitoring priorities lists and descriptions.
- Report on administrative procedures for project selection and management.

### Partners

- Sanctuary research staff
- NMSP HQ research staff
- Sanctuary Advisory Council
- NMFS

### Related Strategies

- NRP-2: Enhance project and permit review procedures.



## RM-4: ENHANCE COMMUNICATIONS AMONG RESEARCHERS, RESOURCE MANAGERS, AND THE PUBLIC.



### Strategy Summary

Strategy RM-4 addresses the Sanctuary's Objective 2.3 to encourage information exchange among researchers, resource managers, and the public. The Sanctuary will explore ways to encourage information exchange among organizations and agencies undertaking management-related research in the Sanctuary to promote more informed management and decision-making.

### Activities

Activity A: Create opportunities for facilitating communication with research and education communities, user groups, and the public.

The Sanctuary will explore opportunities to facilitate communication between researchers, educators, user groups, and the public to promote mutual understanding of each other's role in encouraging public knowledge and appreciation of humpback whales and their habitat. Such opportunities may include a research website, regularly produced research summary reports, a research newsletter, support for publication of research findings in peer-reviewed scientific journals, and informational workshops and seminars that include researchers, resource managers, educators, and the public. The Sanctuary will also continue to seek opportunities to broadcast coverage of Sanctuary activities including lecture series with researchers on public access television.

The Sanctuary will continue to develop cooperative teacher enrichment programs to facilitate the transfer of information in science, math, environmental and social studies in K-12 programs in partnership with local education and conservation organizations.

### Estimated Timeframes

See Figure 6 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: Throughout the plan period.

### Estimated Costs

See Figure 7 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time, printing, travel, and contracts.

### Products

- Web pages regarding research and monitoring.
- Summary reports on Sanctuary-supported research and monitoring projects.





- Research and monitoring newsletter.
- Broadcasts of lectures and other research and monitoring activities.

### Partners

- DLNR and other State of Hawai'i agency staff
- National Marine Fisheries Service and other Federal agency staff
- Sanctuary Advisory Council

### Related Strategies

- EO-1: Assess, enhance, and implement existing education and outreach programs.



## Cultural Resource Enhancement Action Plan



### Introduction

Section 2306 of the HINMSA directs NOAA, in coordination with the State of Hawai'i, to develop a Sanctuary management plan that "facilitates all public and private uses of the sanctuary (including uses Native Hawaiians customarily and traditionally exercised for subsistence, cultural, and religious purposes) consistent with the primary objectives of the protection of the humpback whales and their habitat." This action plan is devised to facilitate Native Hawaiian uses of the Sanctuary and to increase public understanding of Native Hawaiian practices and culture related to ocean use and conservation. A variety of education and research activities concerning Native Hawaiian uses, practices, and values are emphasized in the strategies presented below. The strategies are designed to support the Sanctuary's existing cultural education program, while developing new activities to further increase the program's scope and effectiveness. This plan addresses Goal 4, *Foster all uses of the Sanctuary compatible with protection of the humpback whales and their habitat (including uses by Native Hawaiians customarily and traditionally exercised for subsistence, cultural, and religious purposes).*

### Outcomes and Performance Indicators

CRE Outcome 1: By the end of 2007, the Sanctuary will maintain and supplement its role in facilitating, fostering, and communicating Native Hawaiian uses and traditions, as indicated by:

- Increased awareness among Sanctuary users of Native Hawaiian culture related to the marine environment and humpback whales as measured by awareness surveys (first survey to be completed by the end of 2005).
- Development of curriculum materials and educational tools incorporating Native Hawaiian cultural values by the end of 2006.
- Increased participation of Native Hawaiian organizations and individuals in Sanctuary activities and products by the end of 2007.





Table 6: Summary of Cultural Resource Enhancement Strategy and Activities

Strategy	Activities
<p>CRE-1: Conduct and facilitate Native Hawaiian events and traditions.</p>	<p>A. Maintain ongoing efforts by the Sanctuary's Hawaiian Cultural Educator and other Sanctuary staff and partners to establish programs and activities that nurture a cultural awareness.</p> <p>B. Continue to develop curriculum and educational tools about the Hawaiian culture and its components within the Sanctuary.</p> <p>C. Continue to establish a working relationship with the Native Hawaiian community organizations to promote the Sanctuary, its resources, and the Hawaiian culture.</p>
<p>CRE-2: Nurture increased public awareness and appreciation of traditional Hawaiian values and practices related to ocean use, conservation, and respect for the ocean environment through additional education and outreach efforts.</p>	<p>A. Identify and incorporate, whenever practicable, traditional Native Hawaiian resource management strategies into Sanctuary programs.</p> <p>B. Increase cooperative education programs and materials that educate, preserve, and perpetuate Native Hawaiian traditional knowledge, values, language, culture, resource uses, religion and spiritual significance.</p> <p>C. Encourage the sharing of knowledge between traditional cultural practitioners and scientists to better understand the marine environment through a Hawaiian cultural perspective.</p> <p>D. Recruit volunteers who specialize in the Hawaiian culture and its practices to develop an interpretive program.</p>

**Strategies**

**CRE-1: CONDUCT AND FACILITATE NATIVE HAWAIIAN EVENTS AND TRADITIONS**

Strategy Summary

Continued support of established functions, projects, and activities of the Hawaiian cultural education program will further promote understanding and appreciation of the Hawaiian culture (including its language) through education, research, public involvement in cultural activities, and events. The program will expand its reach to a wide spectrum of the public, including visitors, students, educators, researchers, and Native Hawaiians. Continued emphasis will be placed on establishing cooperative education and outreach programs with Native Hawaiian groups and on developing programs that educate the general public about Native Hawaiian traditions, culture, resource uses, and religion as they relate to Hawaii's marine environment. The activities contained in this strategy will address this need (Table 6 and Figures 8 and 9).

This strategy addresses Objective 4.2, to work with the Native Hawaiian community to identify customary and traditional uses of the marine environment and educate the general public about these uses.





## Activities

Activity A: Maintain ongoing efforts by the Sanctuary's Hawaiian Cultural Educator and other Sanctuary staff and partners to establish programs and activities that nurture a cultural awareness based upon the Native Hawaiian tradition of respect for the ocean and its resources with emphasis on the humpback whale.

Through community lectures, brochures, interpretive signage, and other products and activities, Native Hawaiian culture has been integrated with the Sanctuary's education and outreach efforts. These successful existing products and activities, refined and adapted as needed, will be continue to be key components of cultural resources enhancement.

Activity B: Continue to develop curriculum and educational tools about the Hawaiian culture and its components within the sanctuary.

Activity books and other elementary grade level educational materials have been developed during the first five years of Sanctuary operation. These materials will be enhanced and augmented during this plan implementation period to reach a broader range of students and to expand the scope of educational standards addressed. Optimal effectiveness in these efforts will be promoted via close consultation with the State Department of Education and other education experts.

Activity C: Continue to establish a working relationship with the Native Hawaiian community organizations to promote the Sanctuary, its resources, and the Hawaiian culture.

In developing the products and activities mentioned above, the Sanctuary has established formal and informal collaborative relationships with several Native Hawaiian groups and individual Hawaiian cultural practitioners. Existing relationships will be maintained and new relationships will be developed to increase the reach and effectiveness of Hawaiian cultural resources enhancement.

## Estimated Timeframe

See Figure 8 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: throughout the plan period.
- Activity B: throughout the plan period
- Activity C: throughout the plan period.

## Estimated Costs

See Figure 9 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to cost the about following amounts:

- Activity A: staff time, travel, printing, and contract.
- Activity B: staff time, travel, printing, and contract.
- Activity C: staff time, travel, printing, and contract.



Figure 8: Timeframe of CRE Strategies and Activities

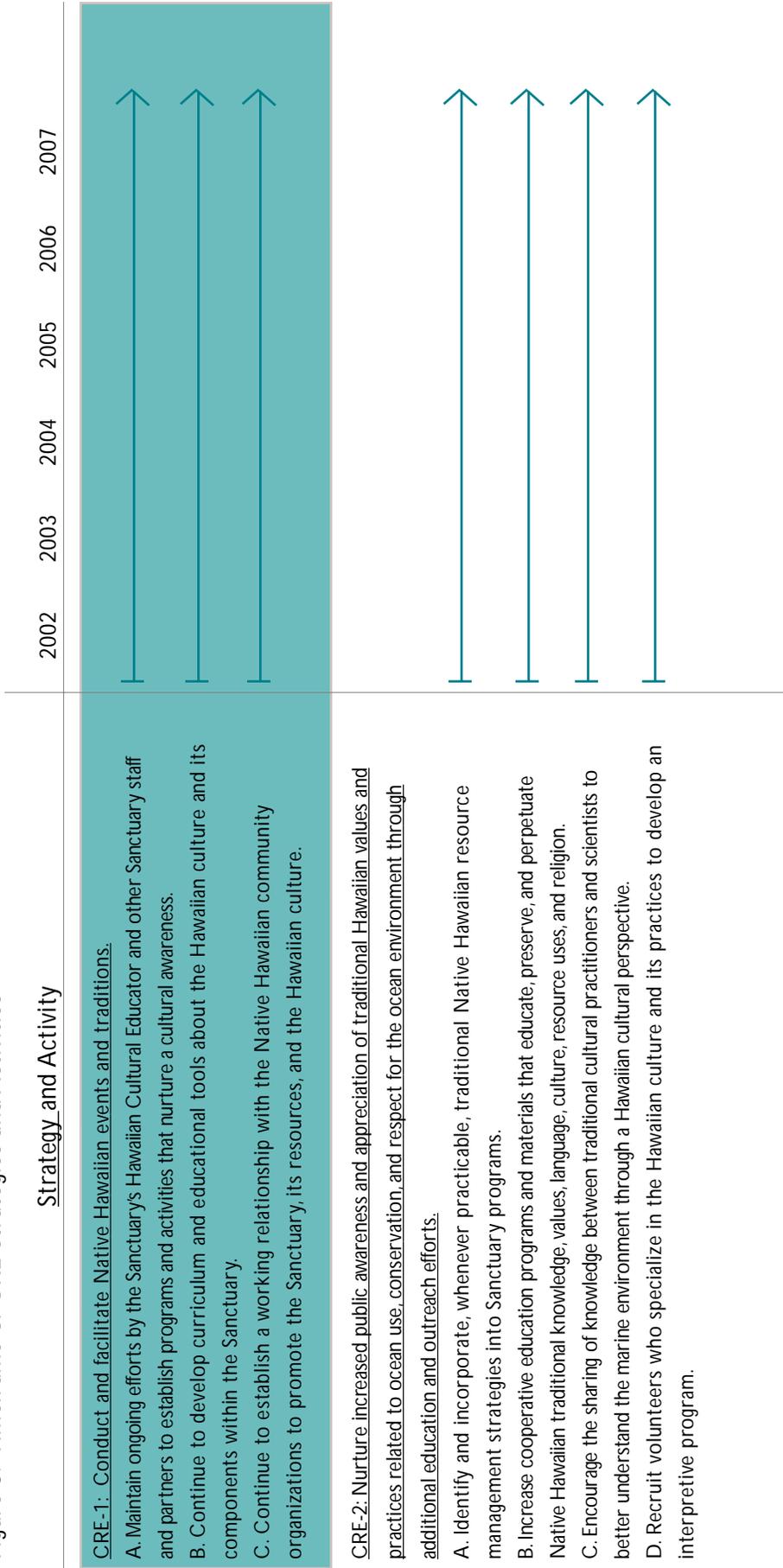


Figure 9: Costs of CRE Strategies and Activities

Strategy and Activity

Staff Time      Travel      Printing      Equipment      Contracts      Other

<p><u>CRE-1: Conduct and facilitate Native Hawaiian events and traditions.</u>                  A. Maintain ongoing efforts by the Sanctuary's Hawaiian Cultural Educator and other Sanctuary staff and partners to establish programs and activities that nurture a cultural awareness.                  B. Continue to develop curriculum and educational tools about the Hawaiian culture and its components within the Sanctuary.                  C. Continue to establish a working relationship with the Native Hawaiian community organizations to promote the Sanctuary, its resources, and the Hawaiian culture.</p>	✓	✓	✓		✓	
	✓	✓	✓		✓	
	✓	✓	✓		✓	
	✓	✓	✓		✓	
<p><u>CRE-2: Nurture increased public awareness and appreciation of traditional Hawaiian values and practices related to ocean use, conservation, and respect for the ocean environment through additional education and outreach efforts.</u>                  A. Identify and incorporate, whenever practicable, traditional Native Hawaiian resource management strategies into Sanctuary programs.                  B. Increase cooperative education programs and materials that educate, preserve, and perpetuate Native Hawaiian traditional knowledge, values, language, culture, resource uses, and religion.                  C. Encourage the sharing of knowledge between traditional cultural practitioners and scientists to better understand the marine environment through a Hawaiian cultural perspective.                  D. Recruit volunteers who specialize in the Hawaiian culture and its practices to develop an interpretive program.</p>	✓	✓	✓		✓	
	✓	✓	✓		✓	
	✓	✓	✓		✓	
	✓	✓	✓		✓	





## Products

- Education and outreach products and activities
- Native Hawaiian curriculum

## Partners

- Native Hawaiian individuals and organizations
- Kamehameha Schools
- Hawaiian Immersion Schools
- University of Hawai'i System
- Hawai'i Department of Education
- Sanctuary Advisory Council

## Related Strategies

- NRP-3: Obtain and share relevant information on Sanctuary uses, use policies, and regulations.
- NRP-5: Develop and implement a process that identifies and evaluates resources for possible inclusion in the Sanctuary.
- EO-1: Assess, enhance, and implement existing education and outreach programs.
- AD-2: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.



## **CRE-2: NURTURE INCREASED PUBLIC AWARENESS AND APPRECIATION OF TRADITIONAL HAWAIIAN VALUES AND PRACTICES RELATED TO OCEAN USE, CONSERVATION, AND RESPECT FOR THE OCEAN ENVIRONMENT THROUGH ADDITIONAL EDUCATION AND OUTREACH EFFORTS.**



### Strategy Summary

The Sanctuary will develop and sustain projects and activities that highlight elements of Hawaiian culture related to the ocean and humpback whales that previously have not been strongly emphasized. This strategy will expand the scope of the Hawaiian Cultural Education Program to include education and research that promote improved awareness and consideration of traditional ecological knowledge and natural resources management systems. The activities below will also entail developing cooperative education programs and materials, promoting dialogue between Hawaiian practitioners and scientists, and fostering enhanced participation of Sanctuary volunteers.

This strategy addresses Objective 4.2, to work with the Native Hawaiian community to identify customary and traditional uses of the marine environment and educate the general public about these uses.

### Activities

Activity A: Identify and incorporate, whenever practicable, traditional Native Hawaiian resource management strategies (such as the *kapu* system and the *ahupua'a* system) into Sanctuary management and education and outreach programs.

Native Hawaiian traditions of natural resources management hold great promise in fostering sustainable resource use in modern times and are increasingly invoked and incorporated in contemporary management efforts. The Sanctuary will expand existing understanding and awareness of cultural constructs such as *kapu* (temporary or permanent prohibition of certain activities) and *ahupua'a* (integrated, watershed-based land and marine resources management area) and examine their applicability in Sanctuary management activities.

Activity B: Increase cooperative education programs and materials that educate, preserve, and perpetuate Native Hawaiian traditional knowledge, values, language, culture, resource uses, religion, and spiritual significance as they relate to Hawai'i's marine environment.

These programs will be developed and implemented in close consultation with Native Hawaiian individuals and groups. Efforts may include working with community based organizations that concentrate on the Hawaiian culture and the marine environment, investigating and creating a database of and Native Hawaiian resources such as chants, stories, myths, legends, place names, and oral histories concerning the marine environment, and translation of Sanctuary education materials into the Hawaiian language.





Activity C: Encourage the sharing of knowledge between traditional cultural practitioners and scientists to better understand the marine environment through a Hawaiian cultural perspective to better educate the public about the culture.

This activity is intended to foster a mutually beneficial exchange of information and ideas between Hawaiian cultural practitioners and resource managers, researchers and educators who draw on Western scientific traditions. Through facilitated and culturally appropriate dialogue and information exchange, the Sanctuary will examine and promote the proper utilization of Hawaiian traditional ecological knowledge. This knowledge, such as that associated with ocean navigation and ocean-based place names, has been developed over numerous generations of intimate interaction with Hawaii's unique natural environment and may offer insights for improved ecological understanding and management hitherto unrealized through Western science.

Activity D: Recruit volunteers who specialize in the Hawaiian culture and its practices to develop an interpretive program, which focuses on the preservation and perpetuation of traditional knowledge of the culture and its language including a SAC subcommittee or working group who will advise the Sanctuary on traditional knowledge.

The Sanctuary recognizes that Hawaiian cultural traditions related to ocean resource use and conservation may only be perpetuated via their ongoing practice by Hawaiian cultural practitioners in the appropriate cultural context. This activity is intended to build a group of *kupuna* (elders) and other cultural experts who find benefit and utility in working with Sanctuary staff and volunteers on projects and activities related to Hawaiian cultural enhancement. In addition to highlighting the Hawaiian language as a means of cultural perpetuation, experiential, hands-on knowledge sharing activities will be promoted to address elements of Hawaiian culture not readily understood through verbal communication.

#### Estimated Timeframe

- Activity A: throughout the plan period.
- Activity B: throughout the plan period.
- Activity C: throughout the plan period.
- Activity D: throughout the plan period.

#### Estimated Costs

- Activity A: staff time, travel, printing, and contract.
- Activity B: staff time, travel, printing, and contract.
- Activity C: staff time and travel.
- Activity D: staff time and travel.

#### Products

- New and revised cultural education and outreach materials (brochures, posters, signage, etc.).
- Interpretive volunteer program based on the Hawaiian culture.
- SAC working group or subcommittee on traditional knowledge.
- Partnerships with other Native Hawaiian organizations and individuals.



- Database of Native Hawaiian stories, myths, legends, and place names.
- Educational materials translated into the Hawaiian language.

### Partners

- Native Hawaiian individuals and organizations
- Hawaiian cultural educators/specialists
- University of Hawai'i – Hawaiian Studies Department
- Bishop Museum and other cultural organizations
- Sanctuary Advisory Council

### Related Strategies

- NRP-3: Obtain and share relevant information on Sanctuary uses, use policies, and regulations.
- NRP-5: Develop and implement a process that identifies and evaluates resources for possible inclusion in the Sanctuary.
- EO-1: Develop and implement an education/interpretation plan.





## Administration Action Plan

### Introduction

This action plan is a compilation of administration-related activities (Table 7 and Figures 10 and 11) expected in the upcoming five-year period. This includes Federal-State co-management, agency coordination, Sanctuary Advisory Council operation, staffing, physical infrastructure, and management and operations. This action plan responds to Goal 5: *Establish mechanisms to foster coordination and collaboration among Federal, State, and local resource management agencies, Native Hawaiians, academia, private sector, general public, NGOs, and other organizations to achieve Sanctuary goals*; and Goal 6: *Develop and maintain infrastructure and resources to achieve Sanctuary goals*. The following sections discuss each strategy in detail.

### Outcomes and Performance Indicators

AD Outcome 1: By the end of 2005, the Sanctuary will maintain and enhance its ability to protect its resources by better coordination and collaboration with its partners sharing jurisdiction for Sanctuary resources, as indicated by:

- Completion of all pending Memoranda of Understanding by the end of 2004.
- Defined and implemented roles for the Sanctuary in interagency responses to humpback whale strandings and scientific research by the end of 2005.

AD Outcome 2: By the end of 2005, the Sanctuary will enhance the support provided to the SAC and will benefit from increased SAC participation in appropriate Sanctuary activities, as indicated by:

- Development and implementation of an orientation package for new SAC members by the end of 2002.
- Completed SAC retreat by the middle of 2003 and annually thereafter.
- Development and distribution of a brochure identifying contact information for SAC members by the middle of 2003.
- Completed strategic plan and annual operating plan for the SAC in place by the end of 2003.
- Increased SAC member attendance at public events by the end of 2005.

AD Outcome 3: By the end of 2005, the Sanctuary will increase its operational efficiency by improving its physical and staff infrastructure, as indicated by:

- Completion of a prioritized list of new staff needed by the middle of 2003 and new staff hires, within personnel slot and budget limitations, made by the end of 2005.
- Development of a training plan for each employee of the Sanctuary by the middle of 2003.
- Prioritized list of equipment needs and ongoing action to acquire equipment by the end of 2003.
- Establishment of a satellite office on the Big Island, depending upon availability of funding and staff, by the end of 2004.
- Completion of a ten-year facilities plan for the Sanctuary by the end of 2005.





Table 7: Summary of Administration Strategies and Activities

Strategies	Activities
<p>AD-1: Continue and enhance Federal-state co-management of the Sanctuary.</p>	<p>A. Continue cooperative management operations as described in the Compact agreement and MOU.                      B. Continue Federal support of State Sanctuary program.                      C. Continue and enhance State support of State Sanctuary program and other Sanctuary activities.                      D. Continue and enhance collaboration and cooperation between various government and non-government programs.</p>
<p>AD-2: Establish agreements for coordination among agencies and organizations relevant to Sanctuary management, to better protect humpback whales and their habitat.</p>	<p>A. Finalize and implement MOUs with the State of Hawai‘i and National Marine Fisheries Service.                      B. Identify, prioritize, and prepare agreements needed for other partner agencies and organizations.</p>
<p>AD-3: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.</p>	<p>A. Assist in preparing a long-term strategic plan and annual work plan for the SAC.                      B. Develop and support methods to maintain a strong body of SAC members aware of roles and responsibilities                      C. Develop and support methods to foster effective communication between SAC members and Sanctuary management.                      D. Develop and support methods to ensure effective communication between SAC members, their constituents, and the community.</p>
<p>AD-4: Enhance the staffing and personnel resources of the Sanctuary.</p>	<p>A. Identify, prioritize, and recruit staff positions.                      B. Develop and implement a comprehensive employee training plan.</p>
<p>AD-5: Augment the physical infrastructure of the Sanctuary.</p>	<p>A. Develop a ten-year facility plan for the Sanctuary.                      B. Identify, prioritize, and fill equipment needs.</p>

**Strategies**

**AD-1: CONTINUE AND ENHANCE FEDERAL-STATE CO-MANAGEMENT OF THE SANCTUARY**

Strategy Summary

Drawing on a history of productive collaboration, the Sanctuary will continue to be managed as a Federal-State partnership. The co-management relationship between NOAA and the State of Hawai‘i will continue to be guided by the Compact Agreement and draft MOU (see Appendix 1). The lead NOAA management agency will continue to be the NMSP and the lead State agency will continue to be the DLNR. These two agencies will continue to serve as points of contact in building further collaboration and partnerships between Federal and State conservation and natural resource management agencies and organizations.



Figure 10: Timeframe of AD Strategies and Activities

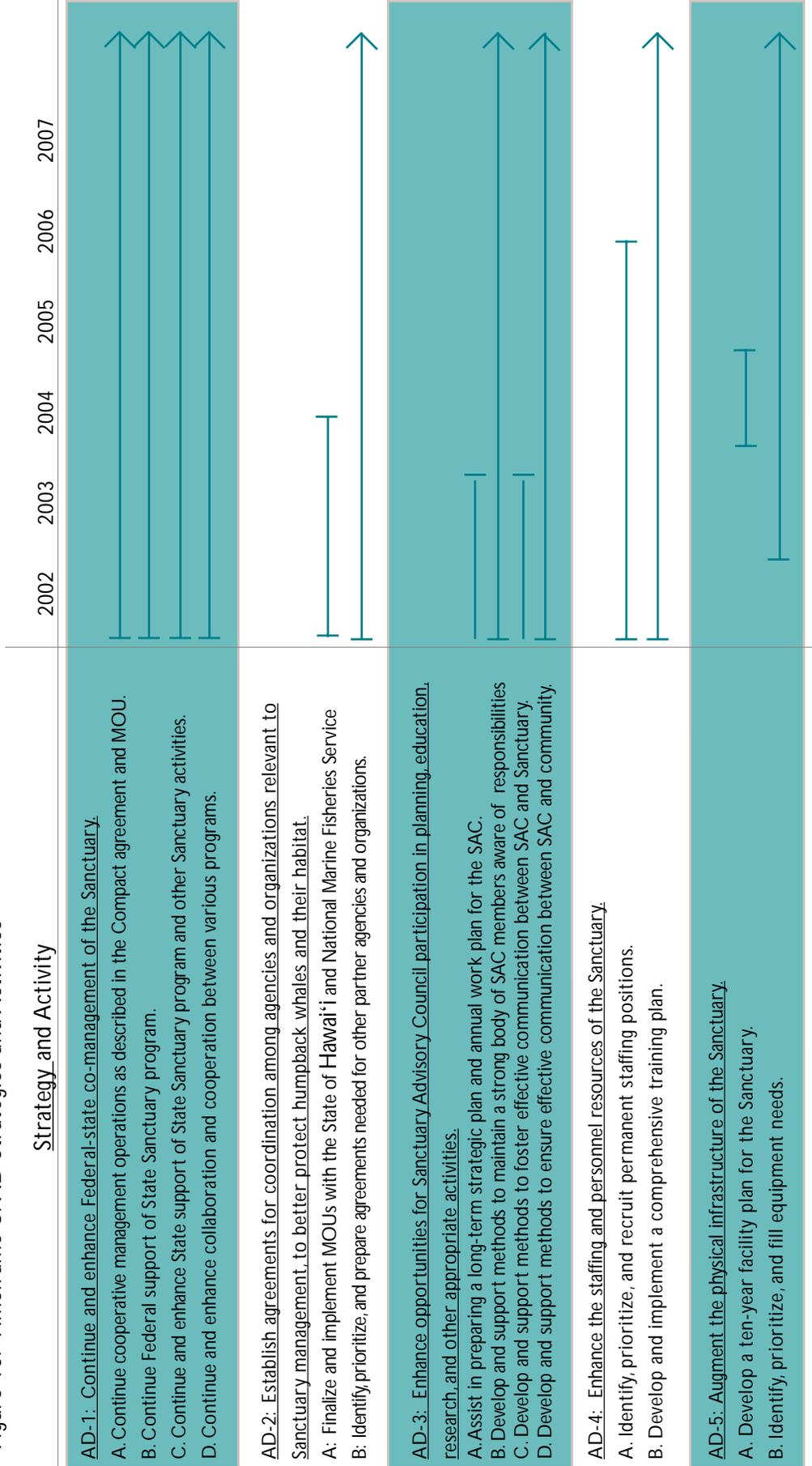


Figure 11: Costs of AD Strategies and Activities

Strategy and Activity	Staff Time	Travel	Printing	Equipment	Contracts	Other
<p><u>AD-1: Continue and enhance Federal-state co-management of the Sanctuary.</u></p> <p>A. Continue cooperative management operations as described in the Compact agreement and MOU.</p> <p>B. Continue Federal support of State Sanctuary program.</p> <p>C. Continue and enhance State support of State Sanctuary program and other Sanctuary activities.</p> <p>D. Continue and enhance collaboration and cooperation between various programs.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>			<p>✓</p>	<p>in kind support</p>
<p><u>AD-2: Establish agreements for coordination among agencies and organizations relevant to Sanctuary management, to better protect humpback whales and their habitat.</u></p> <p>A: Finalize and implement MOUs with the State of Hawai'i and National Marine Fisheries Service</p> <p>B: Identify, prioritize, and prepare agreements needed for other partner agencies and organizations.</p>	<p>✓</p> <p>✓</p>					
<p><u>AD-3: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.</u></p> <p>A. Assist in preparing a long-term strategic plan and annual work plan for the SAC.</p> <p>B. Develop and support methods to maintain a strong body of SAC members aware of responsibilities</p> <p>C. Develop and support methods to foster effective communication between SAC and Sanctuary.</p> <p>D. Develop and support methods to ensure effective communication between SAC and community.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p>	<p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p>	<p>✓</p>	
<p><u>AD-4: Enhance the staffing and personnel resources of the Sanctuary.</u></p> <p>A. Identify, prioritize, and recruit permanent staffing positions.</p> <p>B. Develop and implement a comprehensive training plan.</p>	<p>✓</p> <p>✓</p>	<p>✓</p>				<p>training</p>
<p><u>AD-5: Augment the physical infrastructure of the Sanctuary.</u></p> <p>A. Develop a ten-year facility plan for the Sanctuary.</p> <p>B. Identify, prioritize, and fill equipment needs.</p>	<p>✓</p> <p>✓</p>			<p>✓</p>	<p>✓</p>	



This strategy addressed Objective 5.1, relating to management coordination.

### Activities

**Activity A:** Continue cooperative management operations as described in the Compact agreement and MOU.

The Federal Sanctuary Manager and State Sanctuary Co-Manager will continue to work cooperatively and collaboratively in making decisions related to implementation of the management plan and other Sanctuary-related activities. Federal and State Sanctuary staff will continue to work productively together as teams under the guidance of the Manager and Co-Manager, respectively.

**Activity B:** Continue Federal support of State Sanctuary program.

Federal funding will continue to be made available (subject to available appropriated funds) to the State for personnel and other costs associated with State involvement in implementing the management plan and other activities directly related to the Sanctuary.

**Activity C:** Continue and enhance State support of State Sanctuary program and other Sanctuary activities.

The State will continue to provide office facilities and other administrative assistance, as well as supervisory, administrative, legal, and technical staff assistance in support of management plan implementation and related activities. State Sanctuary staff will continue to promote and pursue alternative means of funding from State and other sources.

**Activity D:** Continue and enhance collaboration and cooperation between various government and non-government programs.

Sanctuary management and staff will continue to facilitate interagency cooperation and collaboration in the course of various multi-agency projects and activities (e.g., public events, conferences, permit reviews).

### Estimated Timeframe

See Figure 10 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: throughout the plan period.
- Activity B: throughout the plan period.
- Activity C: throughout the plan period.
- Activity D: throughout the plan period.



## Estimated Costs

See Figure 11 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time and travel.
- Activity B: staff time and contract to the State of Hawai'i , at or above FY01 levels.
- Activity C: staff time and in-kind support from the State of Hawai'i , at or above FY01 levels.
- Activity D: staff time and travel.

## Products

- Improved products of other strategies via enhanced Sanctuary co-management arrangements.

## Partners

- Sanctuary Manager
- Sanctuary Co-Manager
- Sanctuary staff
- NMSP HQ staff
- DLNR and other State of Hawai'i agency staff
- National Marine Fisheries Service
- Other Federal and State agencies
- Sanctuary Advisory Council





## **AD-2: ESTABLISH AGREEMENTS FOR COORDINATION AMONG AGENCIES AND ORGANIZATIONS RELEVANT TO SANCTUARY MANAGEMENT, TO BETTER PROTECT HUMPBACK WHALES AND THEIR HABITAT.**

### Strategy Summary

The Sanctuary has many partners, many on an informal basis for which no written agreement for coordination has yet been prepared. Such formal agreements will be prepared with those whom the Sanctuary works most closely and frequently. The Sanctuary already has such formal agreements with the foremost of these partners—the State of Hawai‘i and NMFS—which could be enhanced. Also, the Sanctuary should identify other partners with whom it is appropriate and desirable to establish formal agreements. These types of agreements will enhance the Sanctuary’s ability to meet its primary purpose of protecting the humpback whale and its habitat in Hawai‘i.

This strategy addresses Objective 5.1, related to management coordination.

### Activities

**Activity A:** Finalize and implement Memoranda of Understanding (MOUs) with the State of Hawai‘i and NMFS, including stranding protocols and research roles and responsibilities.

As a co-trustee in humpback whale protection, the Sanctuary may well become a more effective partner in facilitating humpback whale stranding response by executing MOUs or other interagency agreements with the State of Hawai‘i and NMFS. Coordination on research policies and activities would also be facilitated with additional MOUs between these two agencies. The Sanctuary will continue to work with the State of Hawai‘i and NMFS to develop these MOUs.

**Activity B:** Identify, prioritize, and prepare agreements needed for other partner agencies and organizations.

The Sanctuary anticipates that developing MOU’s or other agreements with other agencies and organizations may be helpful in allowing all those concerned to become even more effective in facilitating interagency and multi-sectoral collaboration in humpback whale conservation. The Sanctuary will enhance its communications with a variety of governmental agencies, nonprofit organizations, research institutions and other groups to identify and execute these agreements.

### Estimated Timeframe

See Figure 10 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: MOUs finalized by the end of 2004.
- Activity B: Agreements identified and finalized throughout the plan period as needed.



## Estimated Costs

See Figure 11 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time.
- Activity B: staff time.

## Products

- Enhanced Sanctuary co-management arrangements.

## Partners

- DLNR and other State of Hawai'i agency staff
- National Marine Fisheries Service
- U.S. Coast Guard
- Other Federal agencies
- Sanctuary Advisory Council

## Related Strategies

- NRP-2: Enhance permit and project review procedures.





### **AD-3: ENHANCE OPPORTUNITIES FOR SANCTUARY ADVISORY COUNCIL PARTICIPATION IN PLANNING, EDUCATION, RESEARCH, AND OTHER APPROPRIATE ACTIVITIES.**

#### Strategy Summary

In order to ensure that local concerns are addressed in the ongoing development and management of the HIHWNMS, a 24-member Sanctuary Advisory Council was established in March 1996. The SAC has broad representation and has been instrumental in advising NOAA and the State on matters pertaining to the continued development of the Sanctuary. The SAC represents the coordination link between the Sanctuary and the many State and Federal management agencies, Native Hawaiians, user groups, researchers, educators, policy makers, and others which serve the function of focusing efforts and attention on the humpback whale and its habitat.

The SAC is a critical part of the Sanctuary's identity and function because it provides a forum by which Sanctuary management issues can be raised and addressed in an ongoing and relatively informal manner, thereby enhancing the efforts of the Sanctuary in managing and protecting humpback whales and its habitat. Given the significance of the SAC's role in Sanctuary management, more efforts need to be taken to gather expert advice, promote public involvement, and use the SAC to its fullest potential.

This strategy addresses Objective 5.2, to provide opportunities to engage the SAC in planning, evaluation, and other appropriate activities.

#### Activities

Activity A: Assist in preparing a long-term strategic plan and annual work plan for the SAC.

Preparing a long-term strategic plan and annual operating plan, coordinated with and flowing from the Sanctuary's annual operating plan, will help the Sanctuary and SAC work together to fully utilize the SAC's many talents and experiences, and ensure more effective and viable results from SAC activities and meetings.

Activity B: Develop and support methods to maintain a strong body of SAC members that is aware of its roles and responsibilities with regard to supporting Sanctuary management.

SAC members should have full understanding in their responsibilities to their constituents, Sanctuary management, and other SAC members. Such understanding can be fostered in a number of ways, which may include:

- Developing a training package for new member orientation. A one-day orientation session for incoming members would provide them with necessary background information to facilitate their participation on the SAC.
- Holding an annual retreat with the SAC. This would provide a venue for SAC members to address more lengthy issues (that do not require a vote or that will benefit from public discussion), as well as become better acquainted with fellow SAC members and Sanctuary staff.
- Recording presentations by guest speakers at SAC meetings on video tape for future reference. Recording and archiving presentations at SAC meetings will allow members who were absent at a meeting to see informational presentations on various Sanctuary-related issues for



themselves. Such presentations can also be used at Sanctuary or SAC events or other events that might be attended by the interested public. The video tapes might also be used on state-wide cable access television.

Activity C: Develop and support methods to foster effective communication between SAC members and Sanctuary management.

Proper communication between the SAC and Sanctuary management is essential to Sanctuary development. Such communication can be enhanced by the development of an interactive SAC page on the Sanctuary website. This page will provide information to SAC members on various issues and events. A calendar of events, meeting minutes, reference documents, and other information can be included on such a page, for ease of access by SAC members. In addition, the page can be used as a forum for SAC members to post comments and questions to the SAC Chair and Sanctuary Manager, as well as to one another.

Activity D: Develop and support methods to ensure effective communication between SAC members, their constituents, and the community.

Providing communication support for SAC members enhances their ability to bring constituent and community views and concerns to the Sanctuary, and also helps SAC members share Sanctuary information and decisions with their constituents and the community. This will also help to ensure that all views are fairly and adequately communicated to the Sanctuary. Communications support can include:

- Developing a brochure to be distributed to the public, relaying how individual SAC members represent a specific function or constituency can be contacted.
- Promoting SAC member attendance at various community events. Having SAC members attend such events (both those sponsored by the Sanctuary and others) will provide more visibility for the Council and help stimulate interaction between the SAC, constituents, and other members of the community.
- Preparing press releases/public service announcements after SAC meetings. This will help share key recommendations and other actions taken by the SAC at each meeting. Such press releases could also be posted to the Sanctuary website. This will help keep the public informed about SAC and Sanctuary activities and decisions.

### Estimated Timeframe

See Figure 10 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: nine months, completed by mid-2003.
- Activity B: starting in 2002 and ongoing (or annually) thereafter.
- Activity C: nine months, completed by mid-2003.
- Activity D: starting in 2002 and ongoing thereafter.





## Estimated Costs

See Figure 11 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time and printing costs.
- Activity B: staff time, travel, printing, and equipment costs.
- Activity C: staff time and possible contract.
- Activity D: staff time and printing costs.

## Products

- long-term strategic plan for the SAC.
- annual operating plan for the SAC.
- orientation package.
- brochure providing SAC member contact information.
- video tape library.

## Partners

- SAC Executive Subcommittee
- Sanctuary Advisory Council



## AD-4: ENHANCE THE STAFFING AND PERSONNEL RESOURCES OF THE SANCTUARY



### Strategy Summary

In response to the geographical distribution of the State's population and the Sanctuary boundary configuration around six of the eight main Hawaiian Islands, the Sanctuary has four offices. These offices, three Federal offices and one State office, are staffed by twelve positions, including five Federal employees, two State employees, and five contracted employees. Existing staff has responded to increased demands by taking on a variety of functions that could be better performed by new specialist positions. The Sanctuary needs to increase its staff in order to meet the growing responsibilities and roles of the Sanctuary, to improve scientific and educational programs, to establish a presence on the Big Island of Hawai'i, and to respond to increasing interest by community volunteers. New hires will be dependent upon available personnel slots, NMSP appropriations, and the Sanctuary's annual budget allocation

This strategy addresses Objectives 6.1 and 6.3, relating to the development and enhancement of Sanctuary staff.

### Activities

Activity A: Identify, prioritize, and recruit staff positions.

The Sanctuary needs to evaluate its current personnel and responsibilities, and determine where new staff members are needed, in a priority order. The Sanctuary will also need to consider what functions must be filled by a permanent employee and what functions might be filled by NOAA Corps officers, temporary contractors, volunteers, or other resources. Anticipated new hires might include a research coordinator, education coordinator, Hawaiian cultural educator, Big Island liaison, and vessel operator. Though new hires will be dependent upon available personnel slots, NMSP appropriations, and the Sanctuary's annual budget allocation, having a well-developed and supported recruitment plan will play a strong role in obtaining agency support for new hires.

Activity B: Develop and implement a comprehensive employee training plan.

The increasing roles and responsibilities of the Sanctuary and ever evolving marine protected area management techniques require that the skill sets of present and future employees continue to grow as well. The Sanctuary will examine the current skills of employees, and determine what training is necessary and appropriate for each employee. The Sanctuary will also determine what capacities are presently missing from its operational regime and ensure the development of that capacity through appropriate staff training. Such training is anticipated to include bankcard and procurement procedures, supervisory and leadership training, contracting, facilitation and consensus building, NOAA diving certification, computer skills, and university/academic courses.





### Estimated Timeframe

See Figure 10 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: One year, completed by the middle of 2003; new personnel in place by the end of 2005.
- Activity B: Starting in 2002 and ongoing thereafter.

### Estimated Costs

See Figure 11 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: existing staff time and new personnel costs as appropriate.
- Activity B: staff time, travel, and training costs.

### Products

- prioritized list of hires.
- training plan for each employee.

### Partners

- NOS personnel staff

### Related Strategies

- EO-3: Support current functions and activities of the Sanctuary's volunteer program.
- EO-4: Provide additional opportunities for volunteer participation in Sanctuary activities and events.



## AD-5: AUGMENT THE PHYSICAL INFRASTRUCTURE OF THE SANCTUARY



### Strategy Summary

The success of the Sanctuary can be attributed in no small part to early decisions to establish a headquarters on NOAA property on the island of Maui (where the density of whales is the highest) and to establish site offices on the islands of O'ahu (Hawaii's population and government center) and Kaua'i (part of the original boundaries designated by Congress). The presence of resident Sanctuary staff on these islands has nurtured strong community-based networks of volunteers, partnerships, and support. The Sanctuary's presence on the Big Island of Hawai'i has been maintained by staff from other islands, Big Island-based SAC members, and volunteers who organize and participate in a variety of community events, such as the annual Ocean Count, annual Ocean User's Workshop, annual lecture series, county fairs, ocean fairs, and special events for teachers and students. Building new or renovating existing facilities will be dependent upon NMSP appropriations and the Sanctuary's annual budget allocation

This strategy addresses Objective 6.2, to maintain and develop additional facilities and equipment.

### Activities

Activity A: Develop a ten-year facility plan for the Sanctuary.

A ten-year facilities plan, building on and flowing from the NMSP ten-year facilities plan, will inventory and prioritize all physical office and visitor center projects. The projects may include a site office on the Big Island, permanent site offices on O'ahu and Kaua'i, implementation of Maui's ten-year facilities upgrade plan, and exhibits development or upgrades. Vessel(s) and the facilities to support them should also be included. Though building new or renovating existing facilities will be dependent upon NMSP appropriations and the Sanctuary's annual budget allocation, having a well-developed and supported facilities plan will play a strong role in obtaining agency support for such new projects.

Activity B: Identify, prioritize, and fill equipment needs.

The Sanctuary will survey each existing facility to determine what equipment and technical support is necessary, including full computer work stations for each employee, guest work stations, geographic information system stations, Internet access lines, and adequate copiers and fax machines for the functions of each office. The needs of each office will be prioritized and new equipment purchased as funding allows.

### Estimated Timeframe

See Figure 10 for an overview of the anticipated scheduling of these strategies. In general each of the activities in this strategy are expected to take the following amounts of time:

- Activity A: One year, to be completed by the end of 2004.
- Activity B: Starting in 2003 and ongoing.





## Estimated Costs

See Figure 11 for an overview of the anticipated costs of these strategies. In general each of the activities in this strategy are expected to include the following costs:

- Activity A: staff time and possibly a contract.
- Activity B: staff time and equipment costs.

## Products

- ten-year facility plan for the Sanctuary.
- prioritized equipment needs list.

## Partners

- NOS, NOAA, and GSA facilities experts
- NOSADP specialists



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## Appendices

Appendix 1: Compact Agreement/Memorandum of Understanding

Appendix 2: Environmental Assessment

Appendix 3: Bibliography

Appendix 4: Hawaiian Glossary

Appendix 5: Acronyms





## APPENDIX 1: COMPACT AGREEMENT FOR THE COORDINATED MANAGEMENT OF THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY

This Intergovernmental Compact Agreement (hereinafter “Compact”) is made between the State of Hawai‘i and the National Oceanic and Atmospheric Administration (NOAA) of the United States Department of Commerce (hereinafter collectively referred to as “Parties”) for the purpose of clarifying the relative jurisdiction, authority, and conditions of the NOAA-State partnership for managing the Sanctuary. It clarifies the State’s continuing authority and jurisdiction over its State waters, submerged lands, and other resources within the Sanctuary. The Compact further establishes provisions with respect to NOAA’s collaboration with the State of Hawai‘i on Sanctuary management issues.

### I. RECITALS

Whereas, Hawai‘i is an Ocean State with over 750 miles of coastline, estuaries, harbors, and embayments adjoining an 829,122 square-mile Exclusive Economic Zone;

Whereas, the marine environment of the Hawaiian Archipelago supports abundant and biologically diverse aquatic communities with extensive conservation, recreational, commercial, ecological, historical, research, educational, economic, and aesthetic values paramount to the Nation, the State, and the people of Hawai‘i;

Whereas, the waters of the Hawaiian Islands provide essential habitat for breeding, calving, and nursing activities of the endangered North Pacific Humpback Whale;

Whereas, the humpback whales’ habitat in Hawaiian waters is dependent upon a healthy marine environment;

Whereas, the economy of the State is also dependent upon a healthy marine environment and the quality of its marine resources to support its commercial and recreational fisheries and water-related visitor industry;

Whereas, the State has taken steps to protect unique marine communities found in its waters to include the establishment of Marine Life Conservation Districts, Natural Area Reserves, Fishery Management Areas, and Subsistence Fishing Zones;

Whereas, Congress, by passage of the Hawaiian Islands National Marine Sanctuary Act in Hawaiian waters, Subtitle C, Title III of Public Law 102-587 (Act), designated the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) in Hawaiian waters;

Whereas, the Act required that NOAA develop a comprehensive management plan with implementing regulations, in concert with the State, local, and other federal interests, and a means for integrating existing authorities to govern the management of the Sanctuary.

Whereas, the Sanctuary covers approximately 1,420 square miles of Federal and State waters within the Main Hawaiian Islands.





Whereas, the primary purposes of the Sanctuary's Designation Document, implementing regulations, and management plan are to: (1) protect humpback whales and their habitat in Hawaiian waters; (2) educate and interpret for the public the relationship of species to their wintering habitat in the Hawaiian Islands; (3) coordinate the management of uses of the Sanctuary's resources consistent with the Act and other existing State and Federal laws, including all public and private uses, uses customarily and historically practiced by indigenous Hawaiians for subsistence, cultural, and religious purposes; (4) identify research needs and establish a long-term monitoring program with respect to the whales and their habitat; (5) ensure coordination and cooperation between Sanctuary managers and other relevant State, Federal, and local authorities; and (6) sensitize users of the Sanctuary's resources and the general public to the needs for protecting marine ecosystems and the principles of sustainable use;

Whereas, the Act was amended in 1996 to, inter alia provide that the Secretary of Commerce shall not institute any user fee under the Act for any activity within the Sanctuary or any use of the Sanctuary or its resources;

Whereas, the Sanctuary's management plan sets forth a process for cooperative Federal-State management and protection of the humpback whale and its habitat;

Whereas, this Compact will form the foundation for subsequent interagency and inter-governmental cooperative agreements and other less formal interagency and institutional work efforts.

## II. DEFINITIONS

**Civil Action**—means actions arising under the National Marine Sanctuaries Act or under authorities supporting state claims within the Sanctuary, including civil penalties recovered under section 307, and amounts recovered under section 312.

**Emergency Regulations**—means any temporary regulation, including prohibitions necessary to prevent or minimize the destruction of, loss of, or injury to a Sanctuary resource.

**Governor**—means the Governor of the State of Hawai'i, or designee.

**Management Plan**—means the final management plan and regulations for the Hawaiian Islands Humpback Whale National Marine Sanctuary.

**NOAA**—means the National Oceanic and Atmospheric Administration.

**Regulations**—means the final Sanctuary regulations implementing the Management Plan.

**Sanctuary**—means the Hawaiian Islands Humpback Whale National Marine Sanctuary.

**Sanctuary Resource**—means any humpback whale, or the humpback whale's habitat within the Sanctuary, defined as those areas that provide space for individual and population growth and normal behavior of humpback whales, and include sites used for reproductive activities, including breeding, calving and nursing.





State—means the State of Hawai‘i.

### III. AUTHORITIES

Under the Hawaiian Islands National Marine Sanctuary Act, as amended (subtitle C, title II, P.L. 102-587, Nov. 4, 1992) and the National Marine Sanctuaries Act, as amended (16 U.S.C. § 1431 et seq.; also known as title III of the Marine Protection, Research, and Sanctuaries Act), the Secretary of Commerce, through NOAA, has been vested with the jurisdiction and authority to protect and manage the resources of this Sanctuary in trust for the People of the United States and is specifically charged with implementation of the policy of the United States.

The executive power of the State of Hawai‘i is vested in the Governor under Section 1, Article V of the State Constitution and other applicable provisions of law. The Governor is entrusted by the People of Hawai‘i to hold in trust the land and water resources of the State, including submerged lands, the uses of which benefit the public. In recognition of these obligations to uphold the Public Trust and acting as the State's chief steward for the environment, the Governor enters into this Intergovernmental Compact Agreement.

### IV. NOW, THEREFORE, BE IT RESOLVED BY THE UNDERSIGNED THAT:

A. The Parties recognize the Federal-State cooperative arrangement for management of the Sanctuary and its resources and that no Federal, State, or local title or authority to manage and regulate submerged lands, resources, or activities has been limited, conveyed or relinquished through this Compact.

B. The Governor of Hawai‘i has not conveyed title to nor relinquished authority over any State-owned submerged lands and waters or other State-owned resources by agreeing to include State-owned resources within the Sanctuary boundary.

C. The Sanctuary Management Plan will apply throughout the Sanctuary, including the portion of the Sanctuary within the seaward boundary of the State.

D. NOAA and the State will collaborate in the management of the Sanctuary and its resources consistent with the Act, NMSA, Sanctuary Management Plan, and Memoranda of Agreements and Protocols developed thereunder, including but not limited to the following:

1. Memorandum of Understanding between NOAA and the State Department of Health and State Department of Land and Natural Resources, establishing mutually agreeable procedures and mechanisms for coordinating the review of State permits for activities that might impact humpback whales or their habitat; and

2. Cooperative Enforcement Agreement, to be negotiated, establishing procedures and mechanisms for coordinating State and Federal enforcement activities within the Sanctuary. To the extent permitted by law, there shall be mutual agreement regarding enforcement policies and priorities.

E. No State or local funding is required to implement the Sanctuary Management Plan, its implementing regulation, or any of the provisions of the Compact.





F. Any proposed change to the Sanctuary Management Plan shall be reviewed in consultation with the State. Where such change includes any new Sanctuary regulation or substantive amendment (as opposed to editorial or technical changes), it shall not take effect in State waters without first obtaining the approval of the Governor.

G. The imposition, extension, or renewal of Federal Sanctuary emergency regulations in State waters shall not be authorized without the Governor's approval.

H. The Governor reserves the right to propose changes to the Sanctuary Management Plan and, if necessary, NOAA shall initiate the Federal rule promulgation process required to make revisions requested by the Governor to the regulations implementing the management plan.

I. Civil penalties recovered under Section 307 of the National Marine Sanctuaries Act shall be used by NOAA consistent with the requirements and priorities of the Sanctuary Management Plan. Amounts recovered under section 307 with respect to incidents within areas subject to State jurisdiction shall be used in consultation and agreement with the State consistent with the Plan. Similarly, to the maximum extent consistent with section 312(d) of the referenced Federal statute, any monetary recovery that may result from any civil action shall be used for the exclusive benefit of the Sanctuary.

J. The Sanctuary's Management Plan, Designation Document and its implementing regulations do not list commercial or recreational fishing as activities subject to regulation. No Sanctuary fishing regulation in the Hawaiian Islands Humpback Whale National Marine Sanctuary shall take effect in State waters until established by the Board of Land and Natural Resources.

K. Section 304(e) of the National Marine Sanctuaries Act requires the Secretary of Commerce to review the Sanctuary's Management Plan and implementing regulations every five years to evaluate the substantive progress toward implementing the management plan and goals for the Sanctuary, especially the effectiveness of site-specific management techniques, and revise the management plan as necessary to fulfill the purposes and policies of the Act. When the Management Plan and implementing regulations for the Sanctuary are reevaluated, the Secretary of Commerce will repropose the management plan and regulations in their entirety and the State of Hawai'i will have the opportunity to review the Management Plan and regulations, in their entirety, and indicate if any or all of the terms are unacceptable, in which case the unacceptable terms shall not take effect in State waters.

L. The Governor shall designate a State employee as his representative to work in consultation with the Sanctuary manager as an equal partner in the oversight of Sanctuary operations. The State of Hawai'i and NOAA shall manage the Sanctuary through a cooperative partnership and consult on all management activities throughout the Sanctuary. The intent of this partnership is that the final resolution of any management issues resulting in policy conflicts between the State and NOAA shall be decided by the managing partners consistent with State and Federal laws.

M. The goals and objectives of the Sanctuary management plan were developed to complement and coordinate existing management efforts, and, in part, to address some of the





objectives and policies contained in the National Marine Fisheries Service Final Recovery Plan (Recovery Plan) for the Humpback Whale. Throughout the implementation of the management plan, therefore, Sanctuaries & Reserves Division in coordination with the State, will consult with NMFS to evaluate the effectiveness of existing management efforts in achieving those objectives and policies, including whether additional measures (e.g., regulations or critical habitat) to protect the humpback whale and its habitat are needed. Prior to making a final decision on whether to designate critical habitat for humpback whales in Hawai'i state waters under the Endangered Species Act, NOAA will fully involve and consult with the State.

N. The boundaries of the Sanctuary within State waters shall encompass approximately 1,420 square miles of Federal and State waters from the highwater mark seaward to the 100-fathom depth contour around portions of Kaua'i, O'ahu, Moloka'i, Lana'i, Maui, Hawai'i, the Pailolo Channel, and the area known as Penguin Bank.

O. The designation of the Sanctuary does not limit or restrict in any way State or federal government actions to respond to oil or hazardous material spills. The Sanctuary will work within established procedures of the Oceania Regional Response Team for oil or hazardous material spill response and planning.

#### V. SPENDING AUTHORITY

The Secretary, may apply Federal Sanctuary funds to support any activity in the State regardless of location with respect to the Sanctuary's boundary, provided that such activity is consistent with the terms of the designation and Sanctuary Management Plan.

#### VI. RESERVATION OF RIGHTS

The Parties each retain full authority and reserve all rights to take whatever actions deemed necessary to pursue, preserve, and protect any legal right, interest, or remedy. Nothing in this Compact is intended nor shall be construed to waive or foreclose any such authority, right, interest, or remedy.

#### VII. MODIFICATION PROVISIONS

It is the expressed intent of the Parties to revise and make additions to this Compact to reflect the continuing development of the cooperative relationship of the Parties in the protection and management of Sanctuary resources through the implementation of the Sanctuary Management Plan. Any modifications, revisions, or amendments to this Compact shall be in writing and executed by the Parties and shall be incorporated into the Compact and become effective only upon the signature of the Parties.

#### VIII. PERIOD

This Compact will be effective on the date of the last signature of the approving official of either of the Parties and shall continue in force unless and until terminated in conjunction with the five-year review of the Sanctuary Management Plan.





## IX. SAVINGS CLAUSE

A. Nothing herein is intended to conflict with current State or Federal laws, policies, regulations, or directives. If any of the terms of this Compact are inconsistent with existing Federal or State laws, policies, regulations, or directives, then those portions of this Compact which are determined to be inconsistent shall be invalid. The remaining terms of this Compact not affected by the inconsistency shall remain in full force and effect.

B. At the first opportunity for review of the Compact, all necessary changes will be accomplished by either an amendment to this Compact or by entering into a new Compact or other agreement.

C. Should disagreement arise on the interpretation or implementation of the provisions of this Compact or amendments and/or revisions thereto that cannot be resolved at the program operations level, the matter shall be forwarded to higher authority for resolution.

D. All requirements of this Compact are subject to the availability of the funds of the parties.

## X. SIGNATURES

D. James Baker  
Under Secretary for Oceans and Atmosphere  
National Oceanic and Atmospheric  
Administration  
Dated: 2/12/98

Benjamin Cayetano  
Governor  
State of Hawai'i  
Dated: 5/4/98





NATIONAL MARINE  
SANCTUARIES

Draft  
Memorandum of Understanding  
Between the  
National Oceanic and Atmospheric Administration  
National Ocean Service  
National Marine Sanctuary Program  
 AND THE  
STATE OF Hawai'i  
DEPARTMENT OF LAND AND NATURAL RESOURCES

This Memorandum of Understanding (MOU) is between the National Marine Sanctuary Program (NMSP), National Ocean Service, National Oceanic and Atmospheric Administration of the United States Department of Commerce, and the Department of Land and Natural Resources (DLNR) of the State of Hawai'i (hereafter jointly referred to as "the Parties").

### **I. Purpose**

This MOU establishes procedures and protocols for the coordinated management of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) between the NMSP and DLNR. Both entities share the commitment to protect the endangered humpback whale (*Megaptera novaengliae*) and its habitat as specified in the Sanctuary Management Plan and the Compact Agreement for the Coordinated Management of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Compact Agreement).

Section IV.L. of the Compact Agreement states that "the State of Hawai'i and NOAA shall manage the Sanctuary through a cooperative partnership and consult on all management activities throughout the Sanctuary." The Compact Agreement also states that the Governor's representative will "work in consultation with the Sanctuary manager as an equal partner in the oversight of Sanctuary operations."

The main purpose of this MOU is to specify the various means by which the Compact Agreement and Sanctuary Management Plan will be implemented at the level of program operations and interactions between NMSP and DLNR personnel.

### **II. References and Authorities**

NMSP administers the Sanctuary pursuant to 16 U.S.C. 1431 et seq., and enters into this agreement pursuant to 16 U.S.C. 1442 (a).

Chapter 171, Section 3 of the Hawai'i Revised Statutes authorizes the DLNR to manage, administer, and exercise control over Hawai'i's aquatic resources and ocean waters.

The Governor of Hawai'i has designated DLNR as the lead State agency for coordinated management of the Sanctuary, and has appointed the Sanctuary co-manager of DLNR as the Governor's representative referred to in Section IV.L of the Compact agreement.

Section 195D-5, Chapter 195D of the Hawai'i Revised Statutes authorizes DLNR to enter into MOU's with agencies of the Federal government for administration and management of any area established for the protection of indigenous aquatic life.





Section E of the Sanctuary Management Plan states that “SRD [now the National Marine Sanctuary Program, NMSP] will develop a cooperative partnership with the State of Hawai‘i and the National Marine Fisheries Service to implement components of this Final Management Plan. SRD will coordinate its on-site activities through cooperative agreements and/or specific MOUs.”

### III. General Considerations

The Parties recognize the following considerations underlying this MOU:

- Both Parties have public trust responsibility and statutory authority to protect humpback whales and their habitat in Hawaiian waters.
- Both Parties wish to maximize, and benefit from, each other’s strengths, and eliminate duplication of effort to ensure the wisest use and expenditure of public resources.
- Both Parties are accountable to stakeholders and communities who have a right to expect timeliness, efficiency, professionalism, and progress toward achieving the goals of the Sanctuary.
- Both Parties wish to elicit and incorporate private and civic sector input, expressed locally and nationally, into Sanctuary priority-setting, planning and ongoing management.
- Both Parties wish to continuously improve the products and services they provide.
- Both Parties require flexibility, as allowed by law and best management practices, in developing and implementing Sanctuary management activities and related marine resources management activities to meet local needs and expectations regarding the Sanctuary.
- NMSP retains its authority and responsibility to ensure consistent and effective implementation of national laws and policies related to the Sanctuary.

### IV. Shared Responsibilities of the Parties

#### a. Resource Protection

The parties will form a working partnership to achieve a higher level of protection for the humpback whales and their habitat than can be achieved by either of the parties working alone.

Both Parties will:

1. Participate cooperatively in the development and implementation of any management program or plan to achieve the purposes of the Sanctuary.
2. Notify the other Party immediately of emergencies and provide an opportunity to participate in any response.
3. Participate in the protection role of each party as identified by the management plan, as revised.

#### b. Communication and Coordination

To facilitate the cooperative partnership and shared oversight stipulated in the Compact Agreement, the Parties agree to promote effective communication and coordination between their respective agencies. To this end, the Parties agree to adhere to the following set of mutual expectations or provisions regarding Sanctuary operations and staff interactions.

Both Parties will be given an opportunity to:





1. Review and comment on all public documents, press releases, educational and other outreach materials produced by either Party in all cases where the theme of the document, press release, educational and other material is directly related to the Sanctuary.
2. Review and comment on agenda, programs and other plans for any public meeting or event produced and/or sponsored by either Party, within a reasonable period of time, prior to the meeting or event in all cases where the theme of the meeting or event is directly related to the Sanctuary.
3. Participate cooperatively in national and local meetings hosted by either Party where the Sanctuary is the primary topic of the meeting.
4. Freely meet with any other agency when developing party-specific positions on Sanctuary-related issues.
5. Ensure that all communication with the public, e.g., public presentations, documents for public use, and communications with media, will acknowledge the cooperative management arrangement described herein and in the Compact Agreement. In general, this acknowledgment will entail a brief description of the cooperative management arrangement, and of the respective responsibilities and authorities of each party. In the case of written materials, this acknowledgment may be expressed via the following statement, "NOAA and the State of Hawai'i, a partnership for protection." While the logos of both Parties will be prominently displayed on all Sanctuary documents, each party retains the right to exclude the use of its logo should it deem necessary.

#### c. Research and Monitoring

Both Parties will be given an opportunity to:

1. Review and comment on all proposed scientific research activities supported by either Party in all cases where the research is directly related to the Sanctuary.
2. Participate in the research role of each party to be identified by the management plan, as revised.

#### d. Education and Outreach

Both Parties will be given an opportunity to:

1. Review and comment on all proposed education and outreach activities supported by either Party in all cases where the research is directly related to the Sanctuary.
2. Participate in the education role of each party to be identified by the management plan, as revised.

#### e. Operations

Both Parties will be given an opportunity to:

1. Be advised of and comment on any Sanctuary personnel management changes proposed by either Party prior to finalization of the change. Sanctuary personnel changes include hiring,



dismissal, and changes in general duties or responsibilities of any paid State or Federal employee or contractor whose primary duties are directly related to the Sanctuary. Both parties recognize and understand the final hiring authority for State and Federal positions lies with DLNR and NOAA respectively.

2. Be advised of and comment on annual Sanctuary budget allocations development and subsequent annual operating plan changes.
3. Meet to develop annual operating plans, modifications to such plans, and long term planning sessions and to identify the roles and responsibilities of each Party in implementing such plans, activities and operations.
4. Participate in performance evaluation as defined by the management plan, as revised.
5. Participate in the operational role of each party to be identified by the revised management plan.

#### d. Performance Evaluation

The Parties agree to jointly develop a process by which each Party's performance in adhering to the provisions of this MOU is fairly and accurately evaluated on a regular basis.

#### e. Points-of-Contact

The NMSP Sanctuary Manager and DLNR co-manager are the principal points-of-contact (see addresses below) for official communications between NMSP and DLNR respectively, regarding the Sanctuary. Copies of all written communications regarding the Sanctuary that are sent from NMSP to any State agency shall be furnished in a timely manner to the Sanctuary co-manager. Copies of all written communications regarding the Sanctuary that are sent from DLNR to any Federal agency shall be furnished in a timely manner to the Sanctuary manager.

<p>NMSP: Naomi Mcintosh 6700 Kalaniana'ole Highway #104 Honolulu, HI 96825 (808) 397-2651 (808) 397-2650 fax Naomi.mcintosh@noaa.gov</p>	<p>DLNR: Jeffrey Walters, Ph.D. 1151 Punchbowl Street #330 Honolulu, HI 96813 (808) 587-0106 (808) 587-0115 fax jeffrey_s_walters@exec.state.hi.us</p>
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#### V. Period

This MOU will become effective on the date of the last signature of the approving official of either of the Parties and shall continue in force unless terminated (1) by mutual written consent by the Parties; (2) 90 days written notice by either Party, or (3) in conjunction with any review of the Sanctuary Management Plan.

#### VI. Modification

It is the expressed intent of the Parties to revise and make additions to this MOU to reflect continuing development of the cooperative relationship of the Parties in managing the Sanctuary. Any modifications, revisions, or amendments to this MOU shall be in writing and executed by the Parties





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## Appendix 2: Environmental Assessment for the Revised Management Plan for the Hawaiian Islands Humpback Whale National Marine Sanctuary

### Purpose and Need

#### National Marine Sanctuary Program

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Sanctuary Program (NMSP) is a national system of 13 sites that protect over 13,000 square nautical miles of marine resources, and range in all sizes and shapes from 0.25 to 4,024 square nautical miles. The mission of the NMSP is to serve as the trustee for this system of marine protected areas, and to conserve, protect, and enhance their biodiversity, ecological integrity, and cultural legacy. Its goals are appropriate to the unique diversity contained within individual sites. They may include restoring and rebuilding marine habitats or ecosystems to their natural condition or monitoring and maintaining already healthy areas.

The National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1431 *et seq.*) authorizes the Secretary of Commerce to designate and manage areas of the marine environment with nationally significant aesthetic, ecological, historical, or recreational values as National Marine Sanctuaries. The primary objective of this law is to protect marine resources, such as coral reefs, sunken historical vessels or unique habitats, while facilitating all public and private uses of those resources that are compatible with the primary objective of resource protection. Sanctuaries, frequently compared to underwater parks, are managed according to Management Plans, prepared by the NMSP on a site-by-site basis.

#### Hawaiian Islands Humpback Whale National Marine Sanctuary

The Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) was Congressionally designated by the Hawaiian Islands National Marine Sanctuary Act (HINMSA) on November 4, 1992 (Subtitle C of Public Law 102-587, the Oceans Act of 1992).

Section 2304 of the HINMSA establishes the Sanctuary's purposes as follows:

- to protect humpback whales and their habitat within the Sanctuary;
- to educate and interpret for the public the relationship of humpback whales to the Hawaiian Islands marine environment;
- to manage human uses of the Sanctuary consistent with the HINMSA and NMSA; and
- to provide for the identification of marine resources and ecosystems of national significance for possible inclusion in the Sanctuary.

#### Need For This Environmental Assessment

On Friday, March 28, 1997, the final regulations for the Sanctuary were published in the *Federal Register* (62 FR 14799), and became effective on June 2, 1997.

During the original designation process for the Sanctuary, during which boundaries were chosen and regulations developed, a draft Management Plan/Environmental Impact Statement (EIS) (NOAA 1997) was developed. The EIS portion examined alternatives and presented environmental and socioeconomic analyses of those alternatives.





At the time of designation, NOAA made a commitment to the State of Hawai‘i, that five years after the management plan and regulations had become effective, that NOAA, in consultation with the State of Hawai‘i, would evaluate the progress made toward implementing the management plan, regulations, and goals for the Sanctuary. NOAA also agreed that after the evaluation was complete, NOAA would then resubmit the management plan and regulations in their entirety, as far as they effect State waters, to the Governor for his approval.

The Sanctuary began its five-year review about eighteen months ago, by conducting a review of the existing management plan with staff and members of the Sanctuary Advisory Council. The review led to a summary of the Sanctuary's accomplishments that have been prepared in a State of the Sanctuary Report (NOAA 2001). The review also updated the Sanctuary's vision, goals, and objectives.

Once the vision, goals, and objectives had been revised, Sanctuary staff and members of the Sanctuary Advisory Council met in several structured workshops to revise and update the tasks and projects outlined in the management plan, and then re-organize the management plan into action plans, a format more keeping with the template used for current Sanctuary management plans.

The State of the Sanctuary Report and draft revised management plan will be released to the public for a 45-day review period, including a set of state-wide public meetings. After the review period has ended, NOAA and the State will consider all of the public comments and make changes to the draft revised management plan as necessary. The final revised management plan will be submitted to the Governor for his approval.

In reviewing the original management plan in preparation for the five-year review by the NMSP and the State of Hawai‘i, it became clear that although a completely rewritten management plan was not necessary, some restructuring and revising of the document would be beneficial to the Sanctuary. First, the Sanctuary has accomplished many of the tasks outlined for it in the original management plan that can be removed. Second, the goals and objectives originally outlined needed to be revised to reflect the current and future direction of the Sanctuary, and the 2000 amendment of the NMSA. Finally, the structure of the original management plan does not follow the formats developed in the last three years for ongoing management plan reviews at other Sanctuaries. The NMSP and the State of Hawai‘i decided to revise certain parts of the original management plan and reformat the document, during the five-year review.

Specifically, changes made to the management plan include:

- Sanctuary description updated;
- New vision statement adopted;
- Goals and objectives updated to reflect the new vision statement and current status of Sanctuary resources and efforts;
- Management plan restructured into a series of action plans (natural resource protection, education and outreach, research and monitoring, cultural resources enhancement, and administration) in keeping with the templates of current Sanctuary management plans;
- New set of outcomes and performance indicators included;
- Most short-term objectives involving development of staff and infrastructure removed (since they have been accomplished); those remaining--revenue enhancement and identification of other resources for possible inclusion in the Sanctuary--incorporated into the draft revised management plan;





- Emphasis on cultural resources expanded;
- Less emphasis placed on development of SAC infrastructure and more on enhancement of SAC operation;
- More emphasis placed on volunteer programs;
- Strategic educational plan to be developed;
- Administrative procedures related to research projects to be planned; and
- Ten-year facility plan to be developed.

The revised management plan as proposed will be submitted to the Governor for his consideration as far as it applies in State waters. Appropriate action will be taken upon receipt of the Governor's decision later in 2002.

### Description of Alternatives

The original Management Plan/Environmental Impact Statement (NOAA 1997) described a number of alternatives for the management framework of the Sanctuary, among them:

- a Sanctuary with differing boundary options;
- a Sanctuary with differing regulatory options; and
- a Sanctuary with differing management regimes, including one that would only be seasonal in nature to coincide with the presence of the humpback whales in Hawai'i.

Extensive analyses of possible environmental and socioeconomic impacts were conducted for each alternative before the current boundaries, regulations, and management regime were selected.

Early in the five-year review process, NOAA considered preparing a whole new management plan, but decided this was unwarranted due to:

- existing boundaries and regulations are adequate to protect humpback whales and their habitat;
- the issues facing the Sanctuary are largely the same; and
- there are a number of ongoing and unfinished projects outlined in the existing management plan that NOAA and the State wish to continue.

Therefore, during this five-year evaluation, there are only two alternatives being considered: leaving the current management plan in place or revising the current management plan to reflect those changes as noted above. A discussion of each of those alternatives follows.

#### Alternative A: Take No Action

This alternative would keep the existing management plan from February 1997 in place in the out of date format for older Sanctuary management plans and including all tasks that have already been completed, and existing goals and objectives. Keeping the existing management plan will prevent the Sanctuary from incorporating new performance measures to help gauge the its effectiveness and will make the task more difficult when the Sanctuary prepares to write a complete new management plan in approximately five years.



Alternative B: Propose a Revised Management Plan (Preferred)

This alternative proposes the revisions and updates contained in this document. The updates reflect the current context of the Sanctuary and NMSP, shortening and streamlining the document; updating the vision, goals, and objectives; removing old tasks and incorporating new and planned projects; reformatting the document so it is in line with the preferred format of Sanctuary management plans; laying out performance measure with which to better evaluate the Sanctuary's effectiveness; and laying the groundwork for drafting a complete new management plan in approximately five years.

## Affected Environment

A complete, referenced description of the affected environment is contained in the existing Management Plan/Environmental Impact Statement for the Sanctuary (NOAA 1997), and updated in this revised management plan. The following information is presented for the ease of individuals reading this Environmental Assessment.

### Boundary

The boundary of the Sanctuary consists of the submerged lands and waters off the coast of the Hawaiian Islands seaward from the shoreline, cutting across the mouths of all rivers and streams —

- (1) to the 100-fathom (183 meter) isobath adjoining the islands of Maui, Moloka'i, and Lāna'i, including Penguin Bank, but excluding the area within three nautical miles of the upper reaches of the wash of the waves on the shore of Kaho'olawe Island;
- (2) to the deep water area of Pailolo Channel from Cape Hālawā, Moloka'i, to Nākālele Point, Maui, and southward;
- (3) to the 100-fathom isobath around the Island of Hawai'i;
- (4) to the 100-fathom isobath from Ka'īliu Point eastward to Makahū'ena Point, Kaua'i; and
- (5) to the 100-fathom isobath from Pua'ena Point eastward to Māhie Point and from the Ala Wai Canal eastward to Makapu'u Point, O'ahu.

Excluded from the Sanctuary boundary are the following commercial ports and small boat harbors which are adjacent to or abut the Sanctuary boundary:

#### Maui

Kahului Harbor  
Lahaina Boat Harbor  
Mā'alaea Boat Harbor

#### O'ahu

Ala Wai Small Boat Basin

#### Lāna'i

Kaumalapau Harbor  
Mānele Harbor

#### Hawai'i (Big Island)

Hilo Bay Harbor  
Honokōhau Boat Harbor  
Keauhou Bay  
Kawaihae Boat Harbor and  
Small Boat Basin



Moloka'i

Hale o Lono Harbor

Kaunakakai Harbor

Kaua'i

Hanamā'ulu Bay

The establishment of the Sanctuary in no way conveys, or intends to convey, to NOAA any title or ownership of Hawai'i's submerged lands. These lands, including those known as ceded lands, continue to be held in trust by the State of Hawai'i. The Sanctuary will exist as a co-steward of the Sanctuary and its resources. Should the status of the submerged lands change at some time in the future (i.e., lands are conveyed to a sovereign Hawaiian nation), the Sanctuary will work with the appropriate entities to redefine its role if necessary.

Sanctuary ResourcesHumpback Whale

The HINMSA designated the Sanctuary for the primary purpose of protecting endangered humpback whales (*Megaptera novaeangliae*) and their habitat within the Hawaiian Islands marine environment. Recent research indicates that the population of humpback whales in Hawaiian waters during the 1999-2000 season was between approximately 4,500 and 6,500 individuals (Mobley, in press). The same research indicates that the population has increased an average of approximately 7% per year from 1993 through 2000.

The Sanctuary will focus its management efforts to protect humpback whales in their Hawaiian habitat by supporting resource protection, research, long-term monitoring, education, and interpretation programs and by supporting efforts to improve coordination among the management agencies, researchers, educators, and various user groups.

Humpback Whale Habitat

The marine waters surrounding the Hawaiian Islands comprise only a portion of the overall habitat of the humpback whale (i.e., Alaskan feeding grounds, migration routes, etc.). But these waters are essential because they provide breeding, calving, nursing, and resting areas for the majority of the endangered North Pacific humpback whale population. Thus, Hawai'i is one of the most important humpback whale breeding grounds in the world. Most humpbacks can be found in the warm, protected nearshore waters less than 100 fathoms (600 feet) deep (NMFS 1991, Nitta and Naughton 1989). Cows with calves tend to be distributed in more nearshore waters on the leeward sides of islands, often within the 10-30 fathom isobath (60-180 feet) depth (NMFS 1991). The NMSP has defined humpback whale habitat, for purposes of Sanctuary management, as:

“those areas in the waters around Hawai'i that provide space for individual and population growth and normal behavior of humpback whales, and include sites used for reproductive activities, including breeding, calving and nursing.”





## Impacts of Alternatives

### Alternative A: Take No Action

#### **Environmental Impacts**

Taking no action would result in *status quo* of the current management regime of the HIHWNMS. The existing Management Plan/Environmental Impact Statement contains a full analysis of the environmental impacts of each alternative discussed therein.

#### **Socioeconomic Impacts**

Taking no action would result in no additional socioeconomic impacts than those already associated with the operation of the HIHWNMS. The existing Management Plan/Environmental Impact Statement contains a full analysis of the socioeconomic impacts of each alternative discussed therein.

### Alternative B: Propose the Revised Management Plan (Preferred)

#### **Environmental Impacts**

The revised management plan makes no boundary or regulatory changes; however, existing and new non-regulatory programs would be updated and enhanced. NOAA expects this would have a positive environmental effect, by reaching more people and expanding the stewardship message of the Sanctuary.

#### **Socioeconomic Impacts**

Since the revised management plan makes no boundary or regulatory changes, NOAA and the State of Hawai'i expect it would result in no additional socioeconomic impacts than those already associated with the operation of the HIHWNMS.

### **Finding of No Significant Impact**

The revised management plan makes changes only to non-regulatory projects and programs, and does not amend the regulations, boundary, or any other term of designation. NOAA therefore makes a Finding of No Significant Impact. An Environmental Impact Statement will therefore not be prepared.

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Margaret A. Davidson  
Acting Assistant Administrator for Oceans  
and Coastal Zone Management

\_\_\_\_\_  
Date





### Appendix 3: Bibliography

- Gulko, D. 1998. *Hawaiian Coral Reef Ecology*. Honolulu: Mutual Publishing.
- Juvick, S.P. and J.O. Juvick. 1998. *Atlas of Hawai'i* 3rd Edition. Honolulu: University of Hawai'i Press.
- Mobley, J., S. Spitz, and R. Grotefendt. In press. "Abundance of Humpback Whales in Hawaiian Waters: Results of 1993-2000 Aerial Surveys."
- NOAA. 1997. *Hawaiian Islands Humpback Whale National Marine Sanctuary Final Environmental Impact/Management Plan: A Federal/State Partnership for the Protection of Humpback Whales and Their Habitat*. NOAA, Silver Spring, Maryland. 464 pp.
- NOAA. 2000. *The Economic Contributions of Whalewatching to Regional Economies: Perspectives From Two National Marine Sanctuaries*. Marine Sanctuaries Conservation Series, MSD-00-2. NOAA, Silver Spring, Maryland. 90 pp.
- NOAA. 2001. *Hawaiian Islands Humpback Whale National Marine Sanctuary State of the Sanctuary Report*. NOAA, Silver Spring, Maryland.



## Appendix 4: Hawaiian Glossary

*ahupua'a* - ancient watershed management of natural resources

*aloha o ke kai* - love for the sea

*'aumakua* - spiritual or religious reverence for marine organisms regarded as ancestral guardians

*kapu* - temporary or permanent prohibition of certain activities

*koholā* - humpback whales

*kupuna* - elders



## Appendix 5: Acronyms

ACP - Area Contingency Plan  
 AD - Administration (Action Plan)  
 CRE - Cultural Resource Enhancement (Action Plan)  
 CFR - Code of Federal Regulations  
 DLNR - Hawai'i State Department of Land and Natural Resources  
 DOC - U.S. Department of Commerce  
 DOH - Hawai'i State Department of Health  
 DOI - U.S. Department of the Interior  
 DOT - U.S. Department of Transportation  
 EA - Environmental Assessment  
 EIS - Environmental Impact Statement  
 EO - Education and Outreach (Action Plan)  
 EPA - Environmental Protection Agency  
 EPCRA - Emergency Planning and Community Right-to-Know Act  
 ESA - Endangered Species Act  
 FR - Federal Register  
 HAR - Hawai'i Administrative Rules  
 HIHWNMS - Hawaiian Islands Humpback Whale National Marine Sanctuary  
 HINMSA - Hawaiian Islands National Marine Sanctuary Act  
 HSERC - Hawai'i State Emergency Response Commission  
 LAC - Local Area Committee  
 MMPA - Marine Mammal Protection Act  
 MOU - Memorandum of Understanding  
 NCP - National Contingency Plan  
 NEPA - National Environmental Policy Act  
 NGO - Non-governmental organization  
 NMFS - National Marine Fisheries Service  
 NMSA - National Marine Sanctuaries Act  
 NMSP - National Marine Sanctuary Program  
 NOAA - National Oceanic and Atmospheric Administration  
 NOS - National Ocean Service  
 NRP - Natural Resource Protection (Action Plan)  
 NRT - National Response Team  
 OLE - Office for Law Enforcement, National Marine Fisheries Service  
 OPA - Oil Pollution Act  
 ORMA - Ocean Recreation Management Area, State of Hawai'i  
 ORRT - Oceania Regional Response Team  
 RCP - Regional Contingency Plan  
 RM - Research and Monitoring (Action Plan)  
 RRT - Regional Response Team  
 SAC - Sanctuary Advisory Council  
 USCG - U.S. Coast Guard  
 USFWS - U.S. Fish and Wildlife Service





